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Review of the management and administration of the Office of the United Nations High Commissioner for Human Rights

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Joint Inspection Unit entitled "Review of the management and administration of the Office of the United Nations High Commissioner for Human Rights".

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Executive Summary

Review of management and administration of the Office of the United Nations High Commissioner for Human Rights

JIU/REP/2014/7

The present review of the management and administration of the Office of the United Nations High Commissioner for Human Rights (OHCHR) responds to a request made by the Human Rights Council in its resolution 22/2. It is the first full-scope review of the Office by the Joint Inspection Unit (JIU) in more than a decade, and is aimed at identifying areas for improvement in its management and administration. The review acknowledges the significant evolution and tangible improvements achieved by the Office in a number of areas over recent years.

Office of the United Nations High Commissioner for Human Rights — a unique human rights entity

Throughout the review, the Inspector took account of the important role that the Office is playing in the field of human rights and the recognition that it has enjoyed as a unique entity functioning in a difficult environment. Respecting the independence of the High Commissioner, care was taken to ensure that nothing in the review would infringe or impact adversely on that independence.

Although most United Nations entities claim that they are unique, nowhere does the claim appear to be better deserved than in the case of OHCHR. Several factors contribute to this, the most important being the mandate of the High Commissioner, as defined in General Assembly resolution 48/141.

The mandate of promotion and protection of all human rights for all is overarching; it gives the High Commissioner a role that at times brings the Office into differences with Member States, inevitably giving rise to tensions. While many organizations of the United Nations system have an advocacy role for their respective mandates, the same in respect of OHCHR has different implications, and often contributes to perceived differences and conflicts with Member States. This becomes acute when the High Commissioner makes public pronouncements on specific situations or developments in a particular country that, in the judgement of the High Commissioner, has led to violations or acts of discrimination.

Organizational growth and funding

The Office has grown considerably since the establishment of the post of the High Commissioner 20 years ago, in size and geographical spread, giving rise inevitably to challenges on account of the growth in personnel, communications, coordination and resources. From being a primarily normative, headquarters-based organization, OHCHR has grown into an operational, field-based one, making it imperative for the Office to review and adapt its organizational structure, rules and regulations and procedures and processes.

While the regular budget resources of OHCHR have grown from 1 per cent to 3 per cent of the United Nations regular budget over the past few years, many Member States and the Office itself point out that this amount is insufficient and hardly does justice to the third pillar of the organization (alongside peace and security, and development). On the other hand, many others, both from the Secretariat and from among Member States, point to the increase in extrabudgetary contributions.

Dependence on extrabudgetary resources even for the performance of core functions at headquarters, and the use of staff funded by such resources, implies substantial risk to the Office and has considerable implications for the stability and sustainability of the operations. Some stakeholders expressed concern that being donor-driven, or at least being so perceived, could potentially erode its image of neutrality, in addition to giving the impression of distorting the mandate. That only some regional offices and two country offices are funded from the regular budget and that all other regional offices and country offices are funded by voluntary contributions reinforce those concerns.

Donors have been willing in recent years to move away from tight earmarking to soft earmarking and to give greater flexibility to the Office. While donors used to allocate resources for a specific activity in a specific sector in a particular country, they now allocate funds for thematic activities and capacity-building in select areas.

Governance issues

The present review illustrates and confirms the complexity of the governance framework at OHCHR. Arguably, some aspects of the current governance arrangements and the resultant dynamics hinder the optimal performance of OHCHR and need improvement. Member States collectively face a serious and genuine challenge in reaching a fully shared vision of OHCHR and its future, which should help them agree on measures to enhance their capacity to provide strategic guidance, monitor the work of the Office, without in any way infringing upon the independence of the High Commissioner, and increase their ownership of the Office. It bears emphasis and reiteration that Member States have the primary responsibility in this respect. They need to clarify the respective roles of the different intergovernmental bodies in order to streamline the governance dynamics of OHCHR; this is vital for its efficient and effective functioning. Consequently, the recommendation on governance (recommendation 1) is addressed to the General Assembly as the overarching governing body, and concerns initiating an action-oriented review process to strengthen the capacity of Member States to direct, guide and monitor the work of OHCHR.

Several interviewees mentioned that OHCHR was a part of the Secretariat of the United Nations and that, therefore, it was subject to the same policies, rules and regulations as the rest of the Secretariat. At the same time, OHCHR has certain unique features that make it an entity distinct from the rest of the Secretariat. This may necessitate the adaptation of some of the practices and procedures of the Secretariat to the conditions of OHCHR. Furthermore, entities such as the Office for the Coordination of Humanitarian Affairs (OCHA) and the Office of the United Nations High Commissioner for Refugees (UNHCR) have evolved traditions and practices of their own, while being part of the Secretariat.

Therefore, it should not be inconceivable that OHCHR evolves its own traditions and practices to suit its unique characteristics and circumstances. Also, the fact that some policy recommendations are not confined to OHCHR, and/or may have Secretariat-wide implications, need not impede Member States from giving them their careful consideration.

The overarching goal is to improve the working of the Office, enhance its effectiveness and efficiency and reinforce its strategic positioning as the most important United Nations entity in the area of human rights. It is also important to increase the sense of ownership among all Member States, and not merely among a group of some Member States. The strengthening of oversight and governance needs to be strategically oriented, and should not be allowed to degenerate into micromanagement. The Office should carry out its responsibility of running the management and administrative functions of OHCHR, and it has to be fully accountable to Member States.

Management and administration

The review also addresses other important aspects of management and administration in OHCHR, and makes recommendations on areas such as systematic risk management (recommendation 2) and strategic planning (recommendation 3).

As requested by the Human Rights Council, in the review particular attention is paid to the impact on the recruitment policies and the composition of the staff. It has sought to analyse comprehensively the policy framework and implementation of various aspects of human resources management within OHCHR, and includes recommendations for achieving more equitable geographical representation (recommendation 4) and developing a comprehensive policy framework for human resources management covering various aspects (recommendation 5).

A significant contribution by OHCHR in recent years has been the institution of due diligence processes and screening, whereby personnel for participation in peacekeeping missions undergo background checks and screening for human rights violations.

The recommendation on mainstreaming human rights across the United Nations system and improving coordination among OHCHR and other entities (recommendation 6) is addressed to the Secretary-General.

Recommendations

The review recognizes and acknowledges the considerable progress made by OHCHR in various areas, especially in the past decade. The recommendations and suggestions made in the review are not meant as a critique of its current approaches, but are intended to further improve the management and administration of OHCHR. They evolved from the extensive interactions of the JIU team with all relevant stakeholders. It is hoped that Member States, the Office itself, the new High Commissioner and other stakeholders will view the suggestions and recommendations from this perspective.

The review makes six recommendations: one addressed to the General Assembly, one to the Secretary-General and four to the United Nations High Commissioner for Human Rights, as the head of OHCHR. Those formal recommendations are complemented by a number of "soft" recommendations in

the form of additional suggestions for strengthening and reinforcing management and related practices at OHCHR, with reference to the standards and good practices of the United Nations system. These address diverse areas, such as facilitating enhanced participation of persons with disabilities in meetings of the Human Rights Council and other meetings; developing a strategy for resource mobilization, outreach and partnership; enhancing capacity for rapid response and deployment mechanisms in emergency and crisis situations; challenges posed by "dual reporting"; gender equality in staffing; results-based management; full implementation of the accountability framework; enhanced transparency and accountability in the management of trust funds; knowledge management; and transparency in the funding of special procedures mandate holders.

Strong and continuous commitment from Member States, executive management and staff is imperative for ensuring the successful implementation of measures suggested in the present review.

Recommendation 1

The General Assembly should initiate an action-oriented review of the governance arrangements of OHCHR, through an open-ended working group or an open-ended ad hoc committee with a definite time frame and an agreed agenda, to review the governance framework and recommend measures for improvement so as to strengthen the capacity of Member States to provide strategic guidance and direct and monitor the work of OHCHR.

Recommendation 2

The High Commissioner should establish/finalize, by the end of 2016, and regularly update thereafter, a risk management policy for OHCHR, comprising all the elements of a comprehensive risk management framework, and report annually to the governing bodies on its implementation.

Recommendation 3

The High Commissioner should establish a working group, composed of the Senior Management Team and other senior staff as necessary, to review the OHCHR strategic planning process(es) in consultation with other relevant departments as necessary, and submit to the General Assembly, through the Secretary-General, the report of the working group, for its consideration by no later than the seventy-first session of the Assembly.

Recommendation 4

The High Commissioner should update, by the end of 2015, the existing action plan with specific measures, targets and timetables to broaden the geographical diversity of the professional workforce, and continue to report annually to the Human Rights Council and to the General Assembly on its implementation.

Recommendation 5

The High Commissioner should develop, by no later than the end of 2016, a comprehensive strategy and related action plan to adapt to the specific circumstances and requirements of OHCHR the Secretariat's human resources management strategy and policies; he/she should inform the governing bodies of the adoption of the strategy and action plan, update them regularly as necessary, and report to the governing bodies periodically on their implementation.

Recommendation 6

The Secretary-General should, in the context of the Human Rights Up Front initiative, review, in consultation with the United Nations System Chief Executives Board for Coordination as appropriate, the mandates, activities and work of different entities with human rights mandates with a view to streamlining their work, mainstreaming human rights across the United Nations system and enhancing synergies. The results of the review should be submitted, along with the Secretary-General's own recommendations, to the General Assembly for consideration at its seventy-first session.

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Abbreviations

ASG	Assistant Secretary-General
CEB	United Nations System Chief Executives Board for Coordination
DFS	Department of Field Support
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
HQ	Headquarters
ICT	information and communications technology
IMDIS	Integrated Monitoring and Documentation Information System
IMIS	Integrated Management Information System
IMTS	Information Management and Technology Programme Support and Management Services
JIU	Joint Inspection Unit
NCE	national competitive examination
NGO	non-governmental organization
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the United Nations High Commissioner for Human Rights
OHRM	Office of Human Resources Management
OIOS	Office of Internal Oversight Services
OMP	OHCHR management plan
PMS	Performance Monitoring System
PSMS	Programme Support and Management Services
RBM	results-based management
SMT	Senior Management Team
SRSG	Special Representative of the Secretary-General
UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNCT	United Nations country team
UNCTAD	United Nations Conference on Trade and Development
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme

UNFPA	United Nations Population Fund
UN-Habitat	United Nations Human Settlements Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNOG	United Nations Office at Geneva
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
WHO	World Health Organization
YPP	Young Professionals Programme

I. INTRODUCTION

A. Objectives, scope and methodology

1. The Human Rights Council, in operative paragraph 14 of its resolution 22/2, adopted in March 2013 and taken note of by the General Assembly in resolution 68/144 of 18 December 2013, requested the Joint Inspection Unit (JIU) to undertake a comprehensive follow-up review of the management and administration of the Office of the United Nations High Commissioner for Human Rights (OHCHR), in particular with regard to its impact on the recruitment policies and the composition of the staff, and to submit a report thereon and containing concrete proposals for the implementation of the resolution to the Council at its twenty-seventh session.

2. JIU included in its programme of work for 2014 a review of the management and administration of OHCHR. The review takes account of the previous four JIU reviews[1] and provides follow-up as appropriate. It takes into account internal and external oversight reviews of OHCHR, the organizational effectiveness programme[2] and the functional review.[3]

3. The review is aimed at providing an independent external assessment of the regulatory frameworks and related practices concerning the management and administration of OHCHR, and at identifying areas for further improvement. It is focused on governance, executive management, organizational structure, strategic planning, programming and budgeting, human resources management, general administration, knowledge management and oversight. It is the first full-scope review of OHCHR by JIU in more than a decade, and acknowledges the significant evolution and tangible improvements achieved in a number of management and administration areas.

4. The review does not assess the substantive work of OHCHR, as this is beyond its scope. At the same time, the review takes account of the pivotal role that OHCHR is playing in the field of human rights, and recognizes the Office as a

[1] "Management review of the Office of the United Nations High Commissioner for Human Rights" (JIU/REP/2003/6), "Follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights" (JIU/REP/2006/3), "Funding and staffing of the Office of the United Nations High Commissioner for Human Rights" (JIU/REP/2007/8) and "Second follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights" (JIU/REP/2009/2). The reviews were conducted in response to requests made by the Commission on Human Rights in its resolution 2002/80, endorsed by the Economic and Social Council at its 39th plenary meeting on 25 July 2002, and in its resolution 2004/73, and in response to a request made by the General Assembly in its resolution 61/159. Please see also the comments of the Secretary-General on the four JIU reports (A/59/65/Add.1-4, 2004/38/Add.1, A/61/115/Add.1, A/62/845/Add.1 and A/64/94/Add.1).

[2] The organizational effectiveness programme, conducted in 2009–2010, was designed to address issues of strategy; management processes and behaviour; work processes; internal communication mechanisms; and learning opportunities.

[3] As per its terms of reference (August 2013), "the overall goal of the functional review is to improve OHCHR's organizational efficiency and effectiveness, by performing a diagnostic and analytical examination of the distribution of the core functions within the current organizational structure. The scope of the functional review will extend beyond the Divisions at headquarters and the New York Office, to explore how OHCHR performs its functions at the Headquarters (Geneva and [New York]), regional and country levels, with a view to improving efficiencies, effectiveness and value for money."

competent organization functioning in a difficult environment. Respecting the High Commissioner's independence, care has been taken to ensure that nothing in this review would infringe upon, or have an adverse impact on, his/her independence.

5. In accordance with JIU internal standards and guidelines and its working procedures, the methodology used to prepare the present report included a preliminary desk review, a questionnaire, interviews and in-depth analysis. Interviews were conducted with OHCHR officials at all levels, both at headquarters in Geneva and New York as well as at selected field presences (regional offices in Panama and Bangkok, country offices in Bogota and Tunisia, human rights advisers in United Nations country teams (UNCTs) in Costa Rica and Rwanda, and a human rights component of a peacekeeping mission (United Nations Mission in Liberia). The team met with the President of the OHCHR Staff Council. Consultations were held with representative groups of Member States, as well as with representatives of non-governmental organizations (NGOs) based in Geneva.

6. An online survey was conducted, aimed at obtaining feedback and the views of staff on issues related to their work and the functioning of the Office. The JIU team conducted two additional surveys: one of special procedures mandate holders and the other of members of treaty monitoring bodies, to obtain their views on the support and services provided by OHCHR in respect of the performance of their mandates.

7. JIU informed OHCHR and the President of the Human Rights Council in March 2014 that, given its own procedural requirements, it would not be feasible to submit the results of the review to the Council at its twenty-seventh session, and that it would submit them at the twenty-eighth session of the Council in March 2015. It also requested the Office to bring those circumstances to the attention of the Council.

8. In accordance with article 5 paragraph 2, of the JIU statute, the Inspectors shall provide an independent view through inspection and evaluation aimed at improving management and methods and at achieving greater coordination between organizations.

9. In accordance with article 11, paragraph 2, of the JIU statute, the present report was finalized after consultation among the Inspectors so as to test its conclusions and recommendations against the collective wisdom of the Unit.

10. To facilitate the handling of the report, the implementation of its recommendations and the monitoring thereof, the table in annex IX indicates those recommendations that require a decision by the OHCHR governing bodies[4] and those addressed to the Secretary-General and the United Nations High Commissioner for Human Rights, as appropriate.

[4] The phrase "governing bodies" used here and throughout the report refers to the General Assembly, as the overarching governing body of OHCHR, and any other intergovernmental body that Member States determine to be a governing body of OHCHR; it should be noted that the Inspector is not taking a position as to which body should be ascribed such a role. For reasons spelled out in greater detail in chapter II on governance, the Inspector is not ascribing the role of a governing body to, for example, the Human Rights Council; he has left this question to deliberation and decision by Member States.

11. The Inspector expresses his appreciation to all those who assisted the team in the preparation of the report, particularly those who participated in the interviews and so willingly shared their knowledge and expertise.

B. Background

12. In its resolution 61/159, the General Assembly requested JIU to assist the Human Rights Council to monitor systematically the implementation of the resolution by submitting to the Human Rights Council in May 2009 a follow-up report on the implementation of the recommendations contained in the 2007 JIU report (JIU/REP/2007/8) pending their fulfilment. In the follow-up review (JIU/REP/2009/2) it prepared in response, JIU noted that two recommendations of the 2007 JIU report (JIU/REP/2007/8) had not been fully implemented; it also made three new recommendations on improving the geographical distribution of staff at OHCHR.[5]

13. OHCHR has since been subject to internal and external reviews, including the report of the Office of Internal Oversight Services (OIOS) on the efficiency of the implementation of the mandate of OHCHR (A/64/203) and other OIOS audit and evaluation reports; reports of the Board of Auditors of the United Nations; the organizational effectiveness programme in 2009–2010; and the ongoing functional review (2013–2014).

14. OHCHR has undergone continuous reform. The functional review will lead to further changes in its working procedures, internal workflow, organizational structures, field presences, operations, resource mobilization, outreach and human resources management. The present review took into account appropriate changes suggested by the functional review, in order to avoid duplication.

15. OHCHR has grown significantly in terms of financial resources, human resources and mandated activities since the adoption of General Assembly resolution 48/141. Mandated activities requiring support from by the Office have increased significantly, with the most important being those of the Human Rights Council, which meets for 10 weeks per year in three sessions; the universal periodic review mechanism of the Council; human rights treaty bodies; and special procedures.

16. The Office has become increasingly operational, supporting 68 field presences, including 13 country stand-alone offices, 12 regional offices and centres, 14 human rights components (with close to 840 human rights officers) in peacekeeping missions and special political missions, and 29 human rights advisers with resident coordinators and country teams. As at 31 December 2013, the Office employed 1,085 staff, with 452 (42 per cent) based in the field (including 19 human rights advisers in UNCTs), 607 (56 per cent) in Geneva and 26 (2 per cent) in New York. This represents a significant increase compared with the situation 10 years ago. OHCHR staff are very dedicated and motivated and provide expert support on a wide range of human rights issues.

[5] For details and the comments of the Secretary-General on the JIU report, A/59/65/Add.1-E/2004/48/Add.1, A/61/115/Add.1, A/62/845/Add.1 and A/64/94/Add.1.

17. Funding for OHCHR has increased, particularly following the 2005 World Summit, both in regular budget and extrabudgetary contributions. The total resources for the biennium 2012–2013 amounted to $409.6 million ($177.3 million regular and $232.3 million extrabudgetary). Extrabudgetary contributions remain at a significant level — about 60 per cent. The amount of unearmarked voluntary contributions has grown steadily since 2002; in 2013, 54 per cent of the voluntary contributions were unearmarked. Despite the increase in funding, the proportion of the regular budget devoted to human rights remains small, at just under 3 per cent of the total.[6]

18. In 1997, OHCHR and the Centre for Human Rights were consolidated into a single Office of the United Nations High Commissioner for Human Rights. The functions and organization of the Office are defined in a Secretary-General's Bulletin (ST/SGB/1997/10), which has not been amended since its issuance.[7]

19. OHCHR has been addressing the challenges of growth, devoting resources to various improvement initiatives. Nevertheless, a feeling persists among some that "the whole office has expanded in a way they cannot handle it — substantively and administratively".[8]

20. Whether the major focus of the Office should be its normative work, or its monitoring function, or its operational activities has been an ongoing discussion among Member States and other stakeholders as well as staff. The question is not theoretical, but has implications on how the Office should operate, on its organizational structure, including field presences, on funding modalities and resource allocation, and on the workforce, staff qualifications, skills and competencies.

21. OHCHR has a dual nature. On the one hand, it is a part of the United Nations Secretariat, with the High Commissioner, as its head, serving as the head of a department-office of the Secretariat,[9] and is consequently subject to the (governance) structure of the Secretariat and its policies, regulations and rules. On the other, it is an entity entrusted with supporting an independent mandate, namely, that of the post of High Commissioner, as set out in General Assembly resolution 48/141.

22. The role that the overarching mandate of promotion and protection of all human rights for all gives to the High Commissioner could at times contribute to perceived differences with Member States, giving rise to tensions. In its resolution 48/141, the General Assembly bestowed independence on the High Commissioner. At the same time, the Office is part of the Secretariat, and hence subject to its accountability, governance and oversight structure and framework. Member States and other stakeholders have been discussing ways of determining the extent of the High Commissioner's independence and of making it compatible with the Secretariat's accountability and oversight structures.

23. The process of the High Commissioner's appointment is not quite unique, as it compares with appointment to some other posts in the United Nations system, such

[6] *OHCHR Report 2013*, p. 130.

[7] OHCHR has intimated that the Bulletin has been under revision for the past six years.

[8] "Improving OHCHR's Organisational Effectiveness", report by Paul Clarke, external consultant, July 2009, updated April 2010, p. 5.

[9] See section 2.3 of ST/SGB/1997/10 of 15 September 1997.

as the Deputy Secretary-General, the Administrator of the United Nations Development Programme (UNDP), the Secretary-General of the United Nations Conference on Trade and Development and the United Nations High Commissioner for Refugees, where consultations with member States are also envisaged and the appointment is confirmed or ratified by the General Assembly.

24. The term of the previous United Nations High Commissioner for Human Rights ended on 31 August 2014 and the new High Commissioner began his term on 1 September 2014.

II. GOVERNANCE AND OVERSIGHT BY MEMBER STATES

A. Background

25. In its resolution 48/141, the General Assembly decided that the High Commissioner for Human Rights would be the United Nations officer with principal responsibility for United Nations human rights activities under the direction and authority of the Secretary-General, within the framework of the overall competence, authority and decisions of the General Assembly, the Economic and Social Council and the Commission on Human Rights. The High Commissioner's responsibilities were outlined in paragraph 4 (a), (b), (c) and (f) of the resolution.

26. The General Assembly, in paragraph 7 of the resolution, requested the Secretary-General to provide appropriate staff and resources, within the existing and future regular budgets of the United Nations, to enable the High Commissioner to fulfil his/her mandate, without diverting resources from the development programmes and activities of the United Nations. Furthermore, in paragraph 5 (g) of its resolution 60/251 of 15 March 2006, the Assembly mandated the Human Rights Council to assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the Assembly in its resolution 48/141 of 20 December 1993.

27. The Deputy High Commissioner for Human Rights sought the advice of the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel in May 2007 on suggestions by some Member States for an oversight role for the Human Rights Council and presentation of the strategic framework formally to the Council by the High Commissioner. In response, the Legal Counsel ruled in June 2007 that "in the absence of a specific General Assembly resolution conferring upon the Human Rights Council any such responsibilities, therefore, the decision by the Human Rights Council to assume such powers would be *ultra vires* and outside its mandate. In our view, attempts by members of the Human Rights Council to assume those responsibilities should be resisted".[10] Discussions in the Committee for Programme and Coordination saw opinions divided: some Member States upheld the legal opinion while others rejected it.

28. According to the Legal Counsel, the establishment of the Human Rights Council implied one change in the interrelationship among the High Commissioner, OHCHR and the intergovernmental organs responsible for policy- and decision-making for the promotion and protection of human rights in the United Nations

[10] United Nations Juridical Yearbook 2007, chapter V, page 425.

system; that the Human Rights Council would henceforth provide the operational guidance provided previously by the Commission on Human Rights. Many argue that pursuant to operative paragraph 5 (g) of resolution 60/251, the Council cannot have greater authority over OHCHR than the Commission, and that since the Commission did not exercise any such authority or responsibility on, for example, the programme planning and budgeting of OHCHR, the Council cannot do so either. Programme planning and budgeting are powers that belong to the Secretary-General as the chief administrative officer of the Organization, and to the General Assembly as its "governing body".

29. In its resolution 58/269 of 23 December 2003, the General Assembly had affirmed that the strategic framework "shall constitute the principal policy directive of the United Nations and shall serve as the basis for programme planning, budgeting, monitoring and evaluation" (para. 7).

30. The Secretary-General prepares the strategic framework in accordance with the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2000/8) and submits it to the General Assembly. The strategic framework, being an integral part of the policymaking and integrated management process, which includes planning, programming and budgeting, is governed by the principles stated in regulation 3.1, paragraph 1 (b) and (c), of those regulations, including full respect for the prerogatives of the principal organs of the United Nations with respect to the planning, programming and budgeting process and for the authority and prerogatives of the Secretary-General as the chief administrative officer of the Organization.

31. Regulation 4.8 (see ST/SGB/2000/8) stipulates that "the programmes and subprogrammes of the proposed medium-term plan shall be reviewed by the relevant sectoral, functional and regional intergovernmental bodies ... prior to their review by the Committee for Programme and Coordination, the Economic and Social Council and the General Assembly". The categorical wording of the regulation does not admit of any exemptions or exceptions. The Office and a number of Member States do not regard the Human Rights Council to be a "relevant intergovernmental organ" for the purpose of regulation 4.8 and the OHCHR planning, programming and budgeting process, as the Commission had never been considered a "relevant organ" for those purposes. They contend that the Council has assumed the role and responsibilities of the Commission vis-à-vis OHCHR, and as the Commission did not exercise any such function, the Council cannot do so either.

32. A brief review of how regulation 4.8 is implemented by other parts of the Secretariat would be illustrative. Most seem to have similar governance arrangements in place. The United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the United Nations Office on Drugs and Crime (UNODC), the United Nations Human Settlements Programme (UN-Habitat), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the regional commissions have

intergovernmental bodies looking at their respective programme budgets and section of the strategic framework of the Secretary-General.[11]

33. The Office for the Coordination of Humanitarian Affairs (OCHA) and OHCHR appear to be among the exceptions that do not have intergovernmental entities reviewing programme implementation, proposed work plan and related management matters [other exceptions include, inter alia, the Department of Political Affairs (DPA), the Department of Peacekeeping Operations (DPKO), the Department of Field Support (DFS), and the Department of Economic and Social Affairs (DESA)]. This is not to make the case for ascribing such a role in respect of OHCHR to any intergovernmental body, including the Human Rights Council. That is a decision for the Member States to make; it lies within their prerogative and competence. The procedural requirement envisaged in regulation 4.8 is not being fulfilled in the case of OHCHR. This technical "deficit" was also pointed out to the team by some parts of the Secretariat during interviews.

34. In response to questions, the Office stated that "the ability to act independently, free of any political influence of a Member State or group of Member States different from the General Assembly is essential to ensure that the High Commissioner can fulfil this mandate. A separate governance structure or other oversight body would effectively interpose itself in the General Assembly's mandate to the High Commissioner. This would jeopardize the High Commissioner's ability to fulfil his/her mandate and ability to credibly lead the United Nations human rights programme." It further noted that the idea of having a separate governance structure or similar form of oversight body for OHCHR was not considered in the Economic and Social Council resolution by which the Commission on Human Rights was established, nor in the General Assembly resolution by which the post of the United Nations High Commissioner for Human Rights was created.

35. A number of Member States and the Office seem to hold that the existing mechanisms of Member State oversight through consideration by the Committee for Programme and Coordination and the General Assembly are adequate, and that any additional oversight of the Office by Member States will automatically have an adverse impact on the independence of the High Commissioner. There exists a different view as well, namely, that while the High Commissioner has full functional and operational independence, the same may not extend to the Office, leading inexorably to the question as to what the "Office" implies.

[11] The regional commissions meet at the level of ministers or senior officials in regular or special sessions to comment on the respective section of the strategic framework and provide oversight of programme implementation, reviewing proposed work programmes and related management matters. The Working Party of the Trade and Development Board on the Medium-term Plan and the Programme Budget undertakes the task in respect of UNCTAD. The Governing Council, in the case of UNEP, the Commission on Human Settlements, in respect of UN-Habitat, the Sub-Committee on Administrative and Financial Matters of the Executive Committee of UNHCR, the Advisory Commission, in respect of UNRWA, and the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice, in respect of UNODC, also perform such functions. In the case of the Department of Peacekeeping Operations/Department of Field Support (DPKO/DFS), it could be argued that the Special Committee on Peacekeeping Operations (C-34) fulfils a similar function, albeit partly. All of these bodies are parts of the Secretariat.

36. That the Office is a part of the Secretariat seems to command universal agreement. According to some Member States, the Office is independent and has no relationship with the Human Rights Council; it cannot be considered the secretariat of the Council, as there is no clear legislation to that effect, and any oversight by Member States would automatically undermine the independence of the High Commissioner. According to others, the Office, or at least a large part of it, serves as the secretariat of the Council and should, therefore, be accountable to the Council in respect of those functions, and there needs to be greater accountability and oversight by Member States over the functioning of the Office as part of the Secretariat and as secretariat of the Council.

37. The problem has historical origins. The precursor to the Office was the Centre for Human Rights,[12] which also was part of the Secretariat. While the mandate of the High Commissioner was established in General Assembly resolution 48/141, no definitive document comprehensively establishing the mandate of the Centre for Human Rights in the past, or the functions of the Office, in so far as it functions as the successor to the Centre for Human Rights, seems to be available. Resolution 60/251, by which the Assembly established the Human Rights Council, did not throw any light on this question. The Secretary-General had indicated in ST/SGB/1997/10 of 15 September 1997 that the Office would take over all the functions of the erstwhile Centre for Human Rights. It is contended by some that the Office is not formally the secretariat of the Council, and therefore, not accountable to the Council, although the Office discharges such functions for all practical purposes (preparing draft agenda, annotations and programmes of work; preparing and presenting documentation; arranging interpretation and conference services; preparing and presenting programme budget implications of draft resolutions/decisions, organizing sessions of its subsidiary bodies, among other things). Questions concerning accountability, transparency and oversight, especially by Member States, acquire a degree of salience and pertinence when viewed against such claims.

B. Unresolved questions

38. Interviewees pointed out many unresolved questions, from the status of the Human Rights Council to the modalities of legislative approvals and corresponding budgetary allocations. The reports of the Council sessions are presented to the plenary of the General Assembly or its Third Committee, which "take note" of them. However, the budget division of the Secretariat (Office of Programme Planning, Budget and Accounts) does not take cognizance of any decision or resolution that is not "approved" by the General Assembly for computing financial implications and inclusion in the budgetary proposals to the Fifth Committee. The budget division also does not take into account any expenditure projected by the Office resulting from actions or proposals initiated by the High Commissioner, without the approval of an intergovernmental body; they are deemed to be outside the regular budget, and thus requiring funding from extrabudgetary resources.

[12] The organization manual for the Centre for Human Rights (ST/SGB/Organization — Section: CHR, and Corr.1) outlines, in detail, the mandate, the organizational elements of the Centre and their functions.

39. Another question is the status and relationship of the Human Rights Council vis-a-vis the Third Committee of the General Assembly. The Council was established as a subsidiary body of the General Assembly; however, strong concern was expressed by some Member States when a resolution adopted by the Council (resolution 24/24) was effectively overturned by another in the Assembly, with many terming the action "inappropriate". They held that decisions and resolutions of the Council cannot and should not be reviewed by the Assembly, while others hold the view that the General Assembly is fully competent and entitled to engage in such review, as the Council is one of its subsidiary bodies. Behind the posturing lies the difference in the composition of the Council and the universal membership of the Assembly, and the resulting dynamics.

40. The role of the Human Rights Council vis-a-vis the consideration of programme 20 of the strategic framework is another area requiring clarification. The Office and some Member States insist that the Council has no such role. However, a limited role of the Council is acknowledged in President's statement 15/2,[13] in accordance with which the High Commissioner presents the strategic framework and discusses it with Member States in an informal setting. The question arises as to which would be the relevant intergovernmental organ for fulfilling the mandatory requirement envisaged in regulation 4.8 of ST/SGB/2000/8 prior to consideration by the Committee for Programme and Coordination and the General Assembly, if it is not to be the Council.

41. The Office and many Member States view General Assembly resolutions 48/141, establishing the post of the United Nation High Commissioner for Human Rights, and 60/251, establishing the Human Rights Council, as precluding any administrative, financial or even programmatic oversight over the Office by the Commission on Human Rights and its successor body, namely, the Human Rights Council.

42. Reviewing the history of legislation and institutional mechanisms put in place, it is seen that there were opportunities for Member States to clarify many unresolved questions. These include the foundational resolutions 48/141 and 60/251, the institution-building package (Human Rights Council resolution 5/1, endorsed by the General Assembly in its resolution 62/219 of 22 December 2007) and the review of the functioning of the Human Rights Council (General Assembly resolution 65/281 of 17 June 2011). Member States could have utilized any of those to remove the ambiguities and spell out the relationships and accountability frameworks, thus obviating the need for interpretations and constructs which create confusion for both the Secretariat (including the Office) and Member States themselves. Some of the unresolved issues were brought to the attention of the Member States during the review of the functioning of the Council; however, there was reluctance on the part of the Member States to address them head-on and resolve them, thus reinforcing the status quo of ambiguities. It may be recalled in this context that in its resolution 65/281 (para. 3), the General Assembly had decided "also to maintain the status of the Human Rights Council as a subsidiary body of the General Assembly and to consider again the question of whether to maintain this status at an appropriate moment and at a time no sooner than ten years and no later than fifteen years".

[13] A/HRC/PRST/15/2 of 1 October 2010.

C. Views of Member States

43. Many Member States consider the existing structures, mechanisms, processes and procedures to be adequate and view them as providing sufficient opportunities to exercise effective oversight. There is no need, in their view, for more oversight mechanisms or for an alternative governance structure; more oversight by Member States would only undermine the independence of the High Commissioner and jeopardize the ability of OHCHR to fulfil its mandate in an independent and credible way.

44. According to this group, Member States have sufficient opportunities to exercise effective oversight through the existing governance structures: the Committee for Programme and Coordination and the General Assembly. Briefings and consultations organized by the High Commissioner and the Office on the annual report, the office management plan, the annual appeal and programme 20 of the strategic framework provide adequate and effective transparency, oversight and opportunities for feedback. These Member States add that instruments and mechanisms, for example, governing boards, steering groups and comprehensive reporting on internal affairs, that may be necessary and/or relevant in other entities, such as funds and programmes or specialized agencies, are not compatible with the objective of independence of the High Commissioner; the existing set-up strikes an appropriate balance between independence and accountability. This group holds the view that any further oversight by Member States of the Office would automatically interfere with the independence of the High Commissioner and lead to micromanagement and manipulation of the Office.

45. Another group holds diametrically opposite viewpoints. According to them, the Office is lacking in sufficient transparency and adequate accountability to Member States. The process of consultation with Member States is not adequate and effective; at best, it is selective, and usually limited to donors. There is an undue emphasis by the Office on the work relating to some rights, to the detriment of some others. The Office engages in advocacy in areas that do not enjoy political consensus and it does not pay sufficient attention and devote adequate resources to the implementation of legislative decisions of interest and concern to them. They call for more stringent oversight of the Office by Member States. This group argues that the status quo allows the first group to micromanage and manipulate the Office. This group would like the Council to have greater oversight authority over the Office, and the Office to be accountable not only to the General Assembly, but also to the Human Rights Council.

46. There is yet another group, albeit small, of Member States who position themselves somewhere in-between: on the one hand, they uphold the independence of the High Commissioner and the need to preserve and enhance it as much as possible; on the other, they appreciate the need for improving the accountability and transparency of the Office.

47. Despite the polarized views of the two larger groups on governance-related issues, there is a degree of commonality and convergence between them on some limited aspects. Those relate to the need for enhanced effectiveness and efficiency, staffing and equitable geographical representation, and enhanced transparency and accountability of the Office to the Member States, especially on the use and allocation of resources. Both are concerned about extrabudgetary resources, the

sustainability of activities funded by them, the deployment of extrabudgetary-funded personnel for performing core functions and transparency in the allocation of resources.

48. Areas for improvement suggested by all groups include: geographical representation of staff; overlapping areas of work; work methods; allocation/use of resources; rationalization of meetings; documentation; and proliferation of mandates. Despite the improvements in consultations with Member States and other stakeholders, considerable room remains for greater transparency in financial and other public information.

49. Most Member States agree that there is oversight of budgetary, financial and administrative matters by the Fifth Committee, although not of programme matters by the Third Committee, except to a limited extent by the Committee for Programme and Coordination, which still leaves the question of the "relevant intergovernmental organ" in terms of regulation 4.8.

50. According to some, OHCHR lacks an effective, robust performance evaluation function and a follow-up mechanism to track progress. Of particular concern is the increasing use of short-term contracts and the challenges posed by this situation for transparency in the recruitment process, long-term planning of human resources and geographical distribution of staff.[14]

D. Views of non-governmental organizations

51. Geneva-based NGOs and civil society organizations active in the area of human rights echoed views and sentiments similar to those of the first group of Member States: they pointed to the need for OHCHR to be adequately resourced through the regular budget and other sources of funding and for the independence of OHCHR to be fully respected, safeguarded and strengthened.

52. Any oversight of OHCHR activities by the Council would, in their view, be contrary to the rules and practices and would severely undermine the Office's independence. Matters relating to the management and administration of OHCHR fall squarely under the authority of the Secretary-General, and the authority to review the budget and strategic management of the Secretariat falls under the overall responsibility of the General Assembly, not the Human Rights Council. The Council has no role in exercising oversight on administration and management issues of the Office.

E. Assessment

53. OHCHR has a dual role. One role is that of an entity entrusted with supporting the High Commissioner, a context in which the High Commissioner's independence is paramount. The other is that of a United Nations entity, governed by rules and regulations, that serves as the secretariat of the Human Rights Council, treaty bodies and other mechanisms, and that is subject to oversight mechanisms in place in the

[14] The Office referred in this context to the Secretary-General's compact with the High Commissioner, which, as with all Secretariat Under-Secretaries-General, contains numerous goals and targets on these issues, against which the High Commissioner is evaluated annually.

United Nationss. It is important to agree on a proper governance structure that fully upholds and protects the independence of the High Commissioner and, at the same time, subjects tthe Office to the required accountability and transparency, especially in its day-to-dday work; in no way should the latter be used to compromise the former.

54. A numberr of delegations and interviewees identified inadequate oversight and accountability as problems with the Office; coupled with insufficient managerial capacity, the mechanisms for ensuring the implementation of mandated activities and quality of iimplementation are not quite up to the mark.

55. That transparency and accountability represent concerns shared across the spectrum is illlustrated in part by three President's statements: 15/2 of 1 October 2010, 18/2 of 30 September 2011 and 19/1 of 22 March 2012. Had such concerns not been sharced, the Council would not have adopted any of them. They also demonstrate thhe responsiveness of the High Commissioner to concerns of Member States.

56. In accordance with President's statement 15/2, the High Commissioner shares with Member States the strategic framework for the programme on human rights, holds an informal meeting with Member States and relevant stakeholders, and compiles and ssubmits their views and comments to the Committee for Programme and Coordinatiion. In response to President's statement 19/1, the High Commissioner meets with Member States and other stakeholders in connection with the launch of the annual reporrt, in order to provide information on funding and use of funds, take account of viewss expressed and make publicly available those comments, in an effort to have a constructive dialogue between OHCHR and the Human Rights Council and to enhance transparency.

57. The Office and some Member States maintain that sufficient consultation is afforded by ssuch periodic briefings on the strategic framework, the office management pllan and the annual report. Others hold that this is only an informal process and thaat the High Commissioner is not obliged to take on board the views of Member States, especially those that do not accord with the High Commissioner's own views and positions and or those of the Office. In the view of the Inspector, the adoption of Preesident's statements 15/2, 18/2 and 19/1 points to a recognition and acknowledgemcent of gaps and attempts to fill a certain void.

58. Briefings by the President of the Human Rights Council to the President of the General Assembly, the Chairs of the Third Committee, the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions and key delegations havve raised awareness and understanding, especially on the resource implications of new mandates.

59. The team could not find evidence for any effective oversight by the General Assembly regaarding the functioning of the Office, beyond that by the Fifth Committee anad the Committee for Programme and Coordination, mainly on financial issues.

60. An interviiewee stated that the Council cannot have a role in governance as its composition keeeps changing, given the three-year membership term, renewable only once. Another view was that the presidency and the Bureau of the Human Rights Council can exeercise sufficient oversight of the way in which the Office services the

Council. This raises the question of whether that is so in the case of the presidency, considering that it rotates annually among the five regional groups.

61. Many interviewees addressed the "disconnect" between the positions adopted in Geneva and in New York by Member States: the same delegation appeared to speak in different voices in the Human Rights Council and in the General Assembly. The positions taken by some countries in Geneva and in New York often differed on questions of substance. For example, a delegation that supported a substantive activity being authorized by the Council would adopt a negative attitude in the Fifth Committee with respect to allocating adequate resources for implementing the resolution. Interviewees pointed to the need for delegations to speak in one voice on the same issue, both in the Council and in the General Assembly, and asserted that such improved intradelegation coordination would strengthen decision-making and coherence, facilitate implementation and ensure adequacy of resources. They emphasized the need for ensuring greater consistency in approving mandates and resourcing them.

62. Another aspect which could have an impact on the consideration of governance is the difference between the Commission on Human Rights and the Human Rights Council relating to their agendas. The agenda of the Commission was discussed and adopted at the beginning of every annual six-week session. This afforded a degree of flexibility to members of the Commission to introduce items, including those on the management and administration of OHCHR, if they so wished and could muster enough political support.

63. In the case of the Council, a fixed agenda consisting of 10 items for every session was adopted as part of the institution-building package, introducing considerable rigidity and inflexibility. As subsequent attempts have demonstrated, it is difficult to remove, alter or modify an item, or introduce any additional item. The same difficulty is faced in securing agreement among members of the Council on how a particular topic can be addressed under item 1, entitled "Organizational and procedural matters", or item 2, entitled "Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General". The consideration by the Council of the geographical representation of staff is a good illustration. While this provides some limited flexibility to the Council, there remains considerable rigidity in the way the Council seeks to address new items.

64. It is inconceivable that the Human Rights Council can address, or will be allowed to address, questions relating to management and administration of the Office, given its current agenda. Put differently, the current agenda of the Council will be yet another obstacle preventing the Council from addressing questions relating to governance and oversight of the Office.

65. That the Office would enjoy the same degree of independence as the High Commissioner appears to be a construct, devised subsequently, without any legislative sanction; there is no decision by the General Assembly or any other intergovernmental agreement to that effect. The contention that any oversight and guidance of the Office would in itself undermine the High Commissioner's independence does not, therefore, appear to be quite credible or sustainable. If it were so, work done by an internal oversight body, such as OIOS, and by external

oversight bodies, such as the Board of Auditors and JIU, would all have, by now, undermined the independence of the High Commissioner.[15]

66. Just as it would serve the interests of some to argue that the High Commissioner's independence extends to the Office, others could equally argue that while the High Commissioner enjoys full independence and functional autonomy, the Office does not enjoy them to the same degree, and that it should be subject to the same intergovernmental oversight and guidance as other parts of the Secretariat. This is not to suggest that the Human Rights Council should exercise any oversight functions, but rather to point out that intergovernmental oversight over the Office would not be contrary to, or result in the undermining of, the independence of the High Commissioner. Put differently, even if one were to accept theoretically that the independence of the High Commissioner extends to the Office of the High Commissioner, this surely cannot imply that the Office should not have any accountability, especially to Member States or legislative bodies.

67. The overall trend in most United Nations organizations in recent years has been more and more oversight and guidance by Member States to enhance the accountability and transparency of the secretariats. Almost all the funds, programmes and specialized agencies of the United Nations system could provide any number of examples of this trend.

68. Many Member States have instituted, individually or in groups such as the Multilateral Organisation Performance Assessment Network, reviews of the utilization of funds contributed by them to multilateral organizations, including the entities of the United Nations system, in order to satisfy demands of public accountability from parliaments, the audit community and the public at large. Some Member States who should be concerned about the need for the most efficient use of resources and accountability of the Secretariat have been arguing that the existing mechanisms for ensuring the accountability of OHCHR are more than adequate, that sufficient opportunities exist for Member States to provide strategic guidance to the Office and that any additional measures for oversight would undermine the independence of the High Commissioner.

69. The Human Rights Council legislates new activities for the Office and creates new mandates, yet the Council is precluded from reviewing how the Office has translated a legislative decision into a proposed programmatic activity before working out its cost implications, as other intergovernmental bodies do in respect of their secretariats. The Office and the Member States who adopt this view seem to

[15] The Office holds a different viewpoint, noting: "In addition to serving as the basis for the High Commissioner's independence, General Assembly resolution 48/141 specifically 'requests the Secretary-General to provide appropriate staff and resources [...] to enable the High Commissioner to fulfil his/her mandate' (thus explicitly indicating that the High Commissioner and the fulfilment of the mandate outlined in the resolution are not to be restricted to one person). It also 'decides that the Office of the High Commissioner for Human Rights shall be located in Geneva' (thus clearly confirming that the 'Office' is part of the resolution/mandate). Furthermore, in delineating the High Commissioner's responsibilities, resolution 48/141 states that '[The High Commissioner shall] carry out overall supervision of the Centre for Human Rights'. In this regard, the contents of Secretary-General's Bulletin ST/SGB/1997/10 are also important; this SGB clarifies that the Centre was consolidated into the Office, which is headed by the High Commissioner. It also delineates the functions and organization of OHCHR, in direct connection to 48/141."

find nothing wrong with this approach, although this may be contrary to the latter's positions in respect of other secretariats.

70. The consideration of the independence of a body need not be an impediment in clarifying the need for the administrative accountability of its secretariat, and it should not invariably be presumed that any such action would undermine or jeopardize the independence of the body.

71. An example would be judicial institutions, such as the International Criminal Court. The fact that the judges of the Court are independent does not imply that any decision on governance of the Court for enhancing the accountability of the Registrar and other officials would have an adverse impact on the independence of any of its judges. In fact, the International Criminal Court has undertaken an exercise that might be of relevance. It reviewed the effectiveness of its secretariat, without in any way infringing upon the independence of the Court, by establishing a study group on governance for the purpose. All Court personnel are subject to certain standards of conduct to ensure integrity; those standards include a code of conduct and policies in relation to whistle-blower protection and avoidance of conflict of interest. A parallel can be usefully drawn here, and Member States could contemplate a similar exercise to enhance the accountability, transparency and credibility of OHCHR, without in any way infringing upon the independence of the High Commissioner.[15]

F. The way forward

72. The question of a governance structure to enhance oversight of OHCHR, which has been a subject of debate, is sought to be addressed here in a realistic and pragmatic manner. It is the view of a number of stakeholders that entrusting any oversight function to the Human Rights Council is not feasible at the current stage. Therefore, other intermediate avenues should be explored for enhancing transparency and the accountability of the Office to the Member States. For instance, the adoption of the three President's statements is a step in the right direction, and it would be useful to continue with such measures. Similarly, greater interaction by the High Commissioner with Member States, in both formal and informal settings, should continue.

73. Several interviewees noted that OHCHR is a part of the Secretariat and that it is subject to the same policies, rules and regulations as the rest of the Secretariat. At the same time, OHCHR has certain unique features that make it a distinct entity. This may necessitate adapting some practices and procedures of the Secretariat to its conditions. OCHA and UNHCR have evolved their own traditions and practices, despite being part of the Secretariat. It should not be inconceivable that OHCHR evolves its own traditions and practices to suit its specific characteristics and circumstances. Also, the fact that some policy recommendations are not confined to

[15] The Office holds a different viewpoint and noted: "While the rationale of the judges' independence is linked to their adjudication function, i.e. pronouncing judgments free of any improper influence, the independence and functional autonomy of the High Commissioner would remain a theoretical construct, if he/she would not dispose over resources/means to implement decisions in discharging the mandate in compliance with General Assembly resolution 48/141."

OHCHR, and or may have Secretariat-wide implications, need not impede Member States from giving them their careful consideration.

74. The present review does not limit itself to rectifying some technical lacunae, but seeks to identify opportunities for making corrections through an inclusive and participatory process, so as to garner greater support for the Office from the membership and enhance its credibility. For example, Member States may decide that the Human Rights Council is not the "relevant intergovernmental organ" to fulfil the requirements of regulation 4.8. However, the onus is upon the Member States themselves to agree upon an alternative, so as to comply with the regulation, which requires consideration by the relevant intergovernmental organ **prior to** consideration by the Committee for Programme and Coordination and the General Assembly. The problem would not be adequately addressed by claiming that the Committee for Programme and Coordination and the Third Committee of the General Assembly are already exercising this function.

75. An example of such collaborative action is provided by the treaty body reform process, which culminated in the adoption of General Assembly resolution 68/268 of 9 April 2014. Member States and the Office worked together for more than two years and brought about much-needed rationalization in the work of treaty monitoring bodies, in respect of their heavy workloads and their support structures, and reached agreement on calendars, the length and frequency of their meetings and the rationalization of the number of questions, procedures and the length and volume of documentation. The process achieved significant results and commanded wide support among Member States. Another example of an area commanding wide support is the universal periodic review process.

76. In the view of the Inspector, which is based on assessments of and conclusions drawn from the different arguments presented, there appear to be some governance lacunae and deficits as to the possibility for Member States to adequately exercise their oversight responsibilities. These pertain to areas such as the provision of overall strategic guidance, the definition of and decision-making on the priorities of the Office, and the concomitant allocation and utilization of resources, including the reporting on, and performance monitoring of, their effective and efficient use. Other areas include transparency in the management of trust funds administered by the Office, systematic and comprehensive risk management, human resources management and the streamlining of the work of different United Nations entities with human rights mandates. Examples of such lacunae and deficits are outlined in the sections of the present report relating to the above-mentioned areas.

77. Member States collectively face a serious and genuine challenge in reaching a fully shared vision of OHCHR and its future, which should help them agree on measures to enhance their capacity to provide strategic guidance, monitor the work of the Office without in any way infringing upon the independence of the High Commissioner for Human Rights, and increase their ownership of the Office. As brought out in the present chapter, some aspects of the current governance arrangements and the resultant dynamics hinder the optimal performance of OHCHR and need improvement. The Inspector reiterates that Member States bear the primary responsibility in that respect. Therefore, they need to clarify the respective roles of the different intergovernmental bodies with a view to streamlining the governance dynamics of OHCHR, as this is vital for its efficient and effective functioning.

78. Having reviewed the existing situation and having taken into consideration the diverse views and available information, the Inspector concludes that a realistic and pragmatic way forward would be for the General Assembly, as the overarching intergovernmental body, to initiate an action-oriented review, through an open-ended working group or an open-ended ad hoc committee,[17] with a definite time frame and an agreed agenda, in order to review the governance framework/arrangements, resolve many of the issues, agree upon measures so as to strengthen the capacity of Member States to monitor and direct the work of OHCHR, enhance the ownership of the Office by all Member States and provide strategic guidance.

79. The implementation of the following recommendation is aimed at improving governance and Member State oversight of OHCHR.

Recommendation 1

The General Assembly should initiate an action-oriented review of the governance arrangements of OHCHR, through an open-ended working group or an open-ended ad hoc committee with a definite time frame and an agreed agenda, to review the governance framework and recommend measures for improvement so as to strengthen the capacity of Member States to provide strategic guidance and direct and monitor the work of OHCHR.

III. EXECUTIVE MANAGEMENT, ACCOUNTABILITY AND LEADERSHIP

A. Executive management, direction and Office-wide coordination

80. OHCHR is part of the Secretariat, headed by the United Nations High Commissioner for Human Rights, who is appointed by the Secretary-General at the Under-Secretary-General level. The High Commissioner is responsible for all activities of the Office and carries out the functions assigned to him or her by the General Assembly in its resolution 48/141.[18] The High Commissioner is accountable to the Secretary-General,[19] with whom he or she concludes a senior manager's compact, as other Under-Secretaries-General do. The High Commissioner is assisted by a Deputy High Commissioner, at the level of Assistant Secretary-General. The New York office is headed by an Assistant Secretary-General.

81. OHCHR has two senior management bodies: the Senior Management Team (SMT) and the Programme and Budget Review Board.

[17] Open-ended in this context implies open to participation by all Member States, as is commonly understood, and does not signify any limitation of time.

[18] ST/SGB/1997/10, para. 3.2.

[19] Ibid., para. 3.1.

82. The SMT is the principal advisory and consultative body of the Office, chaired by the High Commissioner and comprising most senior managers, including some heads of field presences on a rotating basis.[20] It meets weekly to consider issues of strategic importance to the Office, makes recommendations to the High Commissioner on the adoption/revision of policies, guidelines and operating procedures and serves as the forum for discussing the strategic direction of the Office. It ensures coordination of efforts across the various divisions.

83. The Programme and Budget Review Board advises the High Commissioner on planning guidelines and budgetary policies, reviews proposals concerning programming and allocation of resources and makes recommendations. It monitors the programme implementation and financial situation in order to enhance coherence among programme planning, implementation and funding. The Board oversees the planning process, allocates extrabudgetary resources in line with the OHCHR management plan (OMP) and considers requests for supplementary resources in response to new and emerging needs. The Board is chaired by the Deputy High Commissioner and comprises the most senior managers.[21]

84. The strategic directions of the Office and their implementation, as well as the concomitant allocation and monitoring of resources, are discussed in the SMT and the Programme and Budget Review Board. In addition, at their weekly meetings directors discuss and collaborate on current issues. The High Commissioner, the Deputy High Commissioner and the Assistant Secretary-General heading the New York office hold a weekly "troika" meeting to consult on and coordinate their own schedules and activities.

85. Coordination and communication also take place at the operational level. In practice, the strategic planning and related cross-Office consultation processes serve as important Office-wide coordination mechanisms.

86. Despite these aforementioned arrangements, cross-Office coordination, cooperation and communication are not adequate and effective.

87. It was indicated by a number of both managers and staff members that OHCHR works as a collection of disparate units with competing demands, with too many small silos and no clear understanding of how to work together. Numerous interviewees noted the "disconnect" between headquarters and field activities. Several interviewees recognized the need to improve linkages between the support provided to human rights mechanisms and other areas of work, both at headquarters and in the field. This shortcoming has also been identified in the OMP 2014–2017.

88. Difficulties faced in cooperation and coordination were reflected in the staff survey.[22] While only about 34.3 per cent of staff disagreed or fully disagreed that

[20] It comprises the High Commissioner (chair); Deputy High Commissioner; Assistant Secretary-General heading the OHCHR New York office; directors of divisions; chiefs of branches; chiefs of some services; and, on a rotating basis, heads of field presences.

[21] The Programme and Budget Review Board consists of the Deputy High Commissioner (Chair), the Assistant Secretary-General heading the OHCHR New York office, division directors, the Chief of Programme Support and Management Services, the Chief of the Policy, Planning, Monitoring and Evaluation Service, and the Chief of the Donor and External Relations Section. The Chief of the Finance and Budget Section and the Chief of the Human Resources Management Section participate as resource persons.

[22] For details on the staff survey, please see chapter VII of the present document; all questions and responses referred to in the report are included in annex VIII.

there is sufficient coordination and cooperation within divisions/branches/sections (with about 38.3 per cent being of the opposite view), about 47.1 per cent of staff disagreed or fully disagreed that there is sufficient coordination and cooperation between divisions/branches/sections (with about 21.8 per cent expressing the opposite viewpoint). Among managers (staff at the P-5 level), the picture is more critical: while only about 31.4 per cent disagreed or fully disagreed with the first statement, about 57.6 per cent of managers disagreed or fully disagreed with the latter (with only 15.2 per cent agreeing).

89. Various interviewees indicated that there is no rationale in the allocation of responsibilities and resources among divisions. This can lead to situations where priority activities may not be adequately funded, while others are overresourced. As indicated by some, resource allocation, including reallocation of resources for implementing new priority activities and mandates, should be reviewed, as should the increasing workload of some divisions, branches and units, with limits being placed on the ever-increasing tasks and workload of the staff.

90. The imbalance in the distribution of workload among different units was also highlighted in the staff survey to some extent. About 33.7 per cent of staff disagreed or fully disagreed that there is balanced distribution of workload, with about 21.6 per cent being of the opposite opinion. Among managers, about 40.0 per cent disagreed or fully disagreed with that statement, while about 20.0 per cent agreed that the workload is balanced.

91. It was indicated by some interviewees that discussions in the senior management bodies are often driven by personalities rather than based on facts and issues. Another concern was that decision-making and priority-setting processes, including with respect to resource allocation and workload distribution, were being overshadowed at times by a competition for resources among different divisions, branches and units. Many of these concerns were voiced in the organizational effectiveness programme, the 2009 OIOS evaluation and the functional review.

92. The Office has made progress in improving interdivisional coordination and consultation among headquarters and with field presences. Examples provided in this regard included updating the terms of reference of the SMT and the Programme and Budget Review Board following the organizational effectiveness programme; preparing the SMT agenda and documentation, which involves cross-Office consultation; and sharing and disseminating the SMT and Programme and Budget Review Board minutes and decisions, including information on their follow-up, through broadcasts and the intranet. The extensive consultation process for strategic planning and the preparation of the OMP has improved cross-Office cooperation, communication and information-sharing. The Performance Monitoring System (PMS) has contributed to this development, as did the better use of the Office's intranet as a knowledge-sharing and information platform.

93. In the view of the Inspector, more should be done to improve cross-Office coordination, cooperation and communication. The SMT and the Programme and Budget Review Board need to play more effective roles, including with respect to ensuring more judicious assignment and distribution of responsibilities, resources and workloads among the different divisions, branches and units. Their roles should be strengthened in respect of the strategic planning process, particularly in the identification of the organizational priorities, allocation of resources to the different activities in line with the strategic plans and monitoring of their implementation.

They should also play a greater role in monitoring the effective and efficient use of allocated resources in line with the OMP and the annual workplans of units. A better functioning SMT and Programme and Budget Review Board, together with better sharing of information on their discussions and decisions resulting in greater transparency and openness, would reinforce staff confidence in senior management and leadership. Relevant decisions of the functional review exercise should be taken into account as appropriate (see also chapter IV below). It is the SMT, under the guidance and direction of the High Commissioner, that should foster and ensure adequate and effective cross-Office coordination and cooperation.

94. **The Inspector concludes that the High Commissioner should review, by the end of 2015, the terms of reference and functioning of the SMT and Programme and Budget Review Board, in order to strengthen their role in enhancing cross-Office cooperation and coordination, fair and adequate allocation of responsibilities and resources among divisions, branches and units, monitoring of implementation of activities and the effective and efficient use of allocated resources against the OMP and annual work plans. Effective cross-Office cooperation and coordination should be made a performance goal of heads of divisions/branches/units and other relevant managers.**

B. Accountability and implementation of the United Nations accountability framework

95. In its resolutions 66/257 and 67/253,[23] the General Assembly requested the Secretary-General to strengthen accountability in the Secretariat and report on the progress made. The Secretary-General has, in response, initiated a comprehensive process for the implementation of the accountability framework in the Secretariat. OHCHR has been involved in this initiative. The High Commissioner is a member of the working group on results-based management (RBM). Progress made has been reported by the Secretary-General in his overview reports.[24]

96. The United Nations accountability framework encompasses various areas, including the promotion of a culture of accountability; performance reporting, and implementation of the results-based management framework and information system; enterprise risk management and the internal control framework; personal and institutional accountability; the implementation of the recommendations of oversight bodies; and the strengthening of accountability in the field missions.

97. The Office has made progress on the implementation of the accountability framework, including in the areas referred to below.

Results-based management

98. The Office has made progress in becoming a results-based organization and has improved its strategic planning process. Improvements in its strategic planning process have contributed to implementing RBM and making the Office a more accountable organization. The PMS has also supported this development. However, there are still shortcomings, as discussed in chapter V.

[23] And other relevant General Assembly resolutions.
[24] A/67/714, A/68/697.

Enterprise risk management

99. OHCHR has started implementing enterprise risk management in compliance with existing instructions. The Office contributed in preparing a Secretariat-wide enterprise risk management framework, including assisting in the identification and documentation of risks most relevant to the Office and participated in the Management Committee meetings on enterprise risk management.

100. Despite being a part of the Secretariat, OHCHR is subject to specific sets of risks which need to be addressed and for which mitigation measures must be established. Those risks are discussed in section D below.

Umoja

101. OHCHR is scheduled to implement Umoja as part of the Geneva cluster in November 2015. At present it uses Inspira and the Integrated Management Information System (IMIS); the internally-developed MAYA system, in some parts of the Office; and StaffNet and the PMS to supplement information not available in the Secretariat systems. The PMS allows all to enter and update their annual work plans and to use those plans as a basis from which to derive their cost plans.

102. The Office should look at the compatibility of the PMS with Umoja and how it will be used after the latter's implementation, including its planned up-scaling. The introduction of Umoja will have implications for the human resources and financial management processes and procedures.

International Public Sector Accounting Standards

103. OHCHR is set to produce International Public Sector Accounting Standards-compliant accounts at the end of 2014. Progress has been made in identifying the asset and liability balances necessary to complete the "opening balances" exercise, and OHCHR is on target to complete the implementation. International Public Sector Accounting Standards compliance and related issues are being reviewed by the Board of Auditors of the United Nations in its reports.

Implementation of the recommendations of oversight bodies

104. All senior managers are provided with oversight reports, and contribute to the follow-up reporting. The reports are circulated regularly, to ensure that the recommendations are implemented. It was indicated to the Inspector that sustained follow-up on oversight recommendations is an area for further improvement. Reference is made in this regard to chapter X on the oversight framework.

Accountability

105. The High Commissioner's senior manager's compact establishes a clear line of responsibility and accountability with the Secretary-General as chief administrative officer of the United Nations. Managers are subject to the Secretariat's performance management policies and systems.

106. No specific issues concerning the functioning of, and compliance with, the performance management policies and systems have been identified. However, among some officials, and as also indicated in responses to the JIU staff survey and previous surveys, there was a perception of a general lack of accountability,

According to some, effective monitoring of the implementation of activities against the set plans and results does not take place consistently. In other words, there are responsibilities, but no accountabilities. According to those officials, there needs to be greater accountability of staff members, in particular managers, for their performance. Several interviewees called for more effective mechanisms to enforce this aspect of accountability and to reinforce accountability for individual performance.

107. The feedback from different officials from OHCHR headquarters, field presences and other parts of the Secretariat is revealing. According to one, "the major problem that we have is lack of accountability; we do not have a system for ensuring that an official executes the task assigned to him or her, in a timely fashion, with full attention to quality of the output". Another stated that "there are problems of accountability and monitoring of reporting from the field". Others spoke of the "need to reinforce accountability for individual performance", "effective and visible accountability for all", "the need for greater accountability of staff members, in particular managers, for their performance" and "the need for more effective mechanisms to demonstrate this accountability".

108. These concerns were mirrored in discussions on general staff-manager relationships and the corporate culture. In line with the maxim that good human rights experts do not automatically make good managers, it was suggested that senior management should undergo training in management and leadership skills more regularly; that communication by management on major decisions should be improved, and so too the personal relations between management and staff, through regular one-on-one meetings; and that senior management should talk more to the staff instead of holding administrative meetings for themselves. Some suggested the introduction of reasonable involvement of staff in the assessment of their supervisors.

109. **Many staff members of OHCHR, including SMT members and staff members at the level of P-4 and above, through the management development programme and the leadership development programme, already take part in 360-degree performance reviews. The Inspector acknowledges this as a good practice and suggests continuing with it.** On the one hand, it will allow staff members to provide feedback on the respective managers and, on the other, it would allow managers to take into consideration observations of colleagues. Such measures and strengthened accountability may have a positive impact on staff morale and staff motivation.

110. There was a perception among a not insignificant number of staff members that the strategic leadership/vision of the High Commissioner and the SMT needs to be improved and that it should be transmitted down the line to all staff, so as to foster team spirit and motivation and to improve the organizational culture such that it encourages information-sharing, teamwork and respect for diversity. There appears to be some trust deficit among a number of staff members regarding the leadership/vision of the SMT.

111. This perception has also been partly reflected in the JIU staff survey, in respect of managers. While only 24.6 per cent of staff disagreed or fully disagreed that with the statement that "I have confidence in OHCHR senior management" (with 43.2 per cent being of the opposite view), among managers (P-5 and above) confidence in senior management appears to be lower, with 37.1 per cent of them

disagreeing or fully disagreeing with that statement (with 40.6 per cent being of the opposite view).

112. These illustrations are not meant to underplay overall confidence of the OHCHR staff in its senior management or the progress achieved by the Office in making itself more accountable, results-based and better managed. As noted, the Office has been addressing some of the concerns. However, in view of the concerns expressed, the prevailing perceptions among some parts of the Office and the importance of a strong and effective accountability framework for the reasons outlined, **the Inspector concludes that the High Commissioner should speed up the implementation of the accountability framework, taking into account specificities of the Office, in order to ensure full implementation by no later than the end of 2016; report on the implementation to the OHCHR governing bodies; and continue to report periodically on the compliance with/implementation of the framework.**

C. Accountability in the field and dual reporting

113. OHCHR faces problems arising from dual reporting and accountability lines in two cases: first, with respect to human rights components in peacekeeping missions and special political missions and second, with respect to human rights advisers in United Nations country teams. The first reporting officer in the case of the former is the Special Representative of the Secretary-General and in that of the latter, the Resident Coordinator. In both cases, the second reporting officer is the High Commissioner.

114. The dual reporting and accountability lines of human rights components and human rights advisers often lead to problems. Tensions can arise between the Special Representative and the human rights component (OHCHR) on how to address and report on human rights-related issues, owing to the different mandates, objectives and priorities of the Special Representative and the human rights component (and OHCHR). For instance, a Special Representative may wish to "underplay" human rights issues or even violations deliberately, in order to maintain a façade of good relations with the host Government. This might lead to difficult situations, especially if the Special Representative forbids any feedback to OHCHR on human rights violations. Furthermore, while OHCHR is consulted, decisions are usually made by the Special Representative. The human rights component reports are reviewed by the Special Representatives prior to release.

115. A Resident Coordinator may at times prevent a human rights adviser from reporting to OHCHR on human rights violations in the country, in order to preserve good relations with the host Government. There have been instances where the human rights adviser or the chief of the human rights component exceeds his or her authority and "flies solo", causing embarrassment to the Resident Coordinator or the Special Representative of the Secretary-General, and, in turn, to the High Commissioner.

116. It was indicated to the Inspector by many that such difficulties arise regularly in the day-to-day work of the human rights components, mainly at the working and operational levels. Where divergent views in a particular case cannot be solved at the working or operational levels, the matter gets escalated and addressed through ad hoc consultations at the highest/senior levels of the departments/offices involved. While in such cases solutions are found through high-level consultations, a regular

or formal mechanism does not exist for addressing difficulties arising from dual reporting lines faced by human rights components or human rights advisers in their day-to-day work where cases do not merit high-level intervention. This lack of appropriate mechanisms and processes for solving such issues at the working level results in risks for the human rights components in terms of the effective fulfilment of their mandate.

117. **The Inspector concludes that the Secretary-General should, in consultation with the High Commissioner and the United Nations System Chief Executives Board for Coordination, as appropriate, review by the end of 2015 the present modalities of the dual reporting lines of the heads of human rights components and human rights advisers and update the modalities, guidelines and processes of dual reporting of those functions, with a view to enhancing the accountability and performance reporting of the heads of human rights components and human rights advisers regarding their responsibilities and improving effective cooperation and coordination of OHCHR with other relevant departments.**

118. **Issues stemming from the dual reporting arrangements should be included when defining the Office's role in the Human Rights Up Front initiative and its implementation.** Reference is made to chapter IX below.

D. Systematic risk management

119. OHCHR faces several long-term and short-term risks on account of its funding modalities, human resources management practices, field operations and organizational structure. Some of these have been the objects of study and recommendations by oversight bodies in recent years.[25] Some are addressed in the respective sections in the present report.

120. Reliance on extrabudgetary funding (see chapter V) could affect delivery of services in the event of funding shortfalls, and the Office's perceived objectivity and independence if OHCHR continues to be perceived as being supported by a few major donors. This was also highlighted as among the highest risks on the OIOS list of risks for OHCHR.

121. Another major risk arises from the two different processes of strategic planning, considered in chapter V. The lack of optimal organizational structure, systems, policies and procedures could affect the effectiveness and efficiency of operations. Inadequate internal oversight of, and support to, field operations could affect their efficiency and effectiveness. The risk posed by excessive dependence on and ineffective support arrangements with service providers (UNDP and the United Nations Office at Geneva (UNOG)) could affect the programme of work and accountability of OHCHR.

122. Resolutions of the Human Rights Council have been leading to unexpected increases in workload, warranting additional financial and human resources; inadequacy in the provision of those additional resources could affect the capacity of OHCHR to meet the expectations of Member States and to plan and implement

[25] See, for example, the OIOS risk assessment of OHCHR (OIOS report No. AE2007/330/01 of 31 March 2008) and the risk register.

its activities. The broad mandate of OHCHR is subject to unexpected developments and heightened expectations of Member States and other stakeholders; these may at times present difficulties in developing unified and achievable goals, establishing priorities and meeting the expectations of Member States.

123. The enhanced risks arising from seeking to mobilize resources from non-State entities (philanthropic foundations, corporate enterprises and high-net-worth individuals) have been dealt with in the relevant chapter (see chapter V). Failure to establish effective partnerships with different stakeholders at the country level, not only in locations with country offices, including national actors and other United Nations entities, could affect the performance of OHCHR.

124. Recruitment and deployment delays, difficulty in attracting and retaining qualified staff members, particularly in the field presences, lack of timely succession-planning and other human resources management practices could affect programme delivery.

125. Not having an adequate policy to ensure the safety and security of staff in the face of urgent and real threats to field offices, especially on account of the nature of their work, has adverse implications.

126. Risks relating to inadequate archiving and information security policies and tools could lead to sensitive information not being adequately secured and to inadequate knowledge-sharing at both headquarters and field offices. Information technology risk management and information technology security have emerged as major concerns.

127. The Inspector refers to the 2010 JIU report on enterprise risk management (JIU/REP/2010/4) and to the 2011 JIU report on accountability frameworks (JIU/REP/2011/5), both of which advocated as essential the certification of internal controls by the executive heads. Risk management should be integrated into the annual work plans of different units with specific sections on risk identification and risk mitigation.

128. The Inspector concludes that, for OHCHR, as it is part of the Secretariat, implementing its enterprise risk management framework is not sufficient. It should develop and implement internal controls within a comprehensive corporate enterprise risk management framework, taking into account and addressing the specific risks to which the Office is exposed. The Inspector would like to draw attention in this context to OIOS report No. AE2007/330/01 of 31 March 2008 on the subject.

129. The following recommendation is expected to enhance the effectiveness of risk management at OHCHR.

Recommendation 2

The High Commissioner should establish/finalize, by the end of 2016, and regularly update thereafter, a risk management policy for OHCHR, comprising all the elements of a comprehensive risk management framework, and report annually to the governing bodies on its implementation.

IV. ORGANIZATIONAL STRUCTURE AND FIELD PRESENCE

A. Organizational structure and presence on the ground

130. The organizational structure of OHCHR, outlined in ST/SGB/1997/10, is aligned to the four subprogrammes of the Secretary-General's strategic framework on human rights. ST/SGB/1997/10, in conjunction with ST/SGB/1997/5, describes how OHCHR is integrated into the structure of the Secretariat.

131. Except for a few modifications the structure has not changed much, despite the significant growth in resources, staff, field presences and, more importantly, the new mandates. The changes include the establishment of the Policy, Planning, Monitoring and Evaluation Service; the appointment of the Head of the External Outreach Service; the establishment of the Universal Periodic Review Branch; and the transfer of the Peace Missions Support and Rapid Response Section to the New York office. Also, the head of the New York office was upgraded to the level of Assistant Secretary-General, which enabled OHCHR to participate in the senior management committees and contributed to bringing the Human Rights Council perspective to New York delegations.

132. The growth in the Office's field presences has been significant. As of September 2014,[26] there were 68 human rights presences worldwide: 13 country/stand-alone offices; 12 regional offices/centres; human rights components in 14 peacekeeping and special political missions; and 29 human rights advisers in United Nations country teams. Of the 1,085 staff, 452 (42 per cent) were in field presences, 607 (56 per cent) in Geneva and 26 (2 per cent) in New York. OHCHR supports close to 840 human rights officers serving in peacekeeping operations or special political missions.[27]

133. Demands on the Office, especially in mainstreaming and promoting human rights across the United Nations system and addressing human rights emergencies, have been growing. Under the Human Rights Up Front initiative and its related action plan, additional functions are assigned to the Office. Its engagement in supporting rights-based approaches in all United Nations activities is envisioned.

134. The growth of the Office comes with opportunities, but also risks and challenges. A feeling persists among some that "the whole Office has expanded in a way they cannot handle it – substantively and administratively".[28] This view was reaffirmed in the OHCHR functional review of 2013–2014 and the 2013 Field Operations and Technical Cooperation Division study.[29] The challenge is to determine the "right" organizational structure for the Office, to ensure its effective functioning, and to adapt the organizational design, including its field presences, as necessary, to meet future requirements.

[26] See annex III for details.

[27] Information as at April 2014, provided in response to the JIU questionnaire.

[28] "Improving OHCHR's Organisational Effectiveness", Clarke, p. 5.

[29] See "Strengthening OHCHR results at field level: a strategy towards increased efficiency, effectiveness and impact", Field Operations and Technical Cooperation Division/Director, 2013; see also *Influence on the Ground: Understanding and Strengthening the Protection Impact of United Nations Human Rights Field Presences*, Liam Mahony and Roger Nash, 2012.

135. The challenge of the right organizational structure and design has been the subject of several internal and external reviews, such as the follow-up to the 2006 Plan of Action, the 2009 OIOS evaluation, the subsequent organizational effectiveness programme and the 2013 Field Operations and Technical Cooperation Division study.[30] It has also been a major focus area of the functional review[31] and an integral element of discussions and consultations in the strategic planning process.

136. Recurrent issues identified include: the need to better define the vision and overall strategic priorities and improve the strategic planning process; development of a comprehensive field strategy; duplication of work; fair, balanced and adequate allocation of responsibilities, resources and workloads across the Office; effective functioning of the structure and inter-Office cooperation and coordination, both horizontal and vertical; capacity and function of the New York office; the role and function of regional offices; and support to field presences.

137. While some of the issues have been addressed, others are subject to ongoing discussion. At its July 2014 retreat, the SMT, in response to the interim recommendations of the functional review and subject to further discussions on details, decided to strengthen the OHCHR presence in the field by setting up five to seven regional hubs; develop a logical field deployment model, including by defining the minimum standard models for various field presence configurations; enhance effectiveness by increasing capacity in New York; and give more consideration to options for reconfiguration, to be further discussed, as part of the ongoing functional review.[32]

138. In the view of the Inspector, the right organizational structure of the Office, including field presences, should be so designed as to best serve the organization's strategic priorities, and the activities undertaken to implement them.

139. Various interviewees noted that the Office has had an "opportunistic" approach in developing its field presences. Country offices were established in an ad hoc fashion without, in most cases, a medium or long-term vision, or provision for a review after a defined period, for example, after about five years. Decisions were based on considerations such as the availability of funding, easy access to a country, the likely level of political and donor support and an invitation by the host Government, but without an analysis of the human rights situation and the application of clear criteria. In other cases, offices were not established in countries that had expressed their interest for an OHCHR presence in their countries; the reasons for not establishing offices varied, but were mostly related to a lack of resources. As at the end of 2013, more than 16 countries had expressed such interest, but have not been responded to.

140. As indicated in the recent Field Operations and Technical Cooperation Division study, "for many years, OHCHR has struggled with the concept of entry and exit strategies, and the related need to define criteria not only for deployment

[30] See "Strengthening OHCHR results" and *Influence on the Ground*.

[31] See, for example, the terms of reference of the functional review, "OHCHR functional review: summary of findings and proposals", submitted to the SMT at its retreat, 30 June and 1 July 2014, and related presentations, background papers and task force reports.

[32] "Minutes of the senior management team retreat on the functional review", 30 June and 1 July 2014.

but more holistically for engaging with certain countries and regions".[33] The Inspector concludes that the Office should speed up the development of a strategic approach to improving its organizational structure and field presences, guided by its strategic priorities.

141. The Office noted, however, that OHCHR does conduct careful analysis and has a clear set of criteria for establishing and continuing field presences. The analysis is conducted within the OHCHR strategic planning process, including the country notes, and the strategies set out therein are regularly monitored and evaluated with the assistance of the performance monitoring system. The continuation of the work of a presence and the priorities set by it is evaluated against the results as reflected in the performance monitoring system.

142. As indicated in the Human Rights Up Front initiative and the post-2015 agenda, OHCHR is to play a key role in mainstreaming human rights across the system and supporting the integration of a rights-based approach into the work of the United Nations. It needs to be equipped, in organizational terms, for those tasks. The Inspector concludes that the OHCHR New York office should have the capacity to cope with these expectations. The Office needs to be adequately represented in all the related policy forums and intergovernmental bodies.

143. The Office should have adequate capacity to address emerging human rights situations, both through preventive measures and through rapid response and surge capacities. Any changes to the organizational set-up should take these needs into account.

144. The Inspector suggests that the task force established following the functional review should, by no later than the end of 2015, submit to the High Commissioner for approval practical recommendations for improving the organizational structure, including a detailed action plan for implementation with clear timelines. As necessary, the results of the review should be submitted to the General Assembly and/or its subsidiary bodies, through the Secretary-General, for information.[34]

145. **The Inspector concludes that the High Commissioner should review the organizational structure of OHCHR with a view to optimizing it, including the field presences; put in place, by the end of 2016, clear, comprehensive and updated terms of reference for all organizational units; and keep governing bodies informed of the implementation of the results of the review.**

B. Enhanced capacities for early warning and crisis responses

146. Many interviewees — Member States, OHCHR staff and Secretariat staff — voiced serious concerns about the problems faced by the Office in deploying human rights monitors rapidly in emergency and crisis situations — many examples were quoted, from Yemen and Libya to the Syrian Arab Republic and Ukraine.

147. The factors hindering OHCHR from responding swiftly to human rights emergencies and from rapidly deploying staff include: rules and regulations not suited to meet the Office's operational role; the slow recruitment process for rapid

[33] "Strengthening OHCHR results", p. 2.

[34] For instance, if an update of ST/SGB/1997/10 and/or ST/SGB/1997/5 is required.

deployment, a lack of expertise in maintaining rapid deployment rosters, and insufficient cooperation with relevant United Nations entities.

148. OHCHR maintains different types of rapid deployment rosters, which include internal and external experts. However, they are not always functional, owing mainly to the insufficient number of experts on the roster. This can be explained by the lack of availability in adequate numbers of persons with specific skills sets, such as experience in the field, including in (post-)conflict settings or other crisis situations, and knowledge of the particular socioeconomic environment and local languages, in addition to human rights expertise. This limits the pool of potential suitable candidates. Another impediment is the requirement that internal candidates must obtain an authorization from their managers to be deployed for such posts. In many cases managers may be reluctant to give such authorization, owing to limited resources in their own units, the inconvenience entailed, and difficulties in finding replacements.

149. While OHCHR struggles with it, OCHA and UNHCR, both of which are also part of the Secretariat, seem to be able to handle rapid deployment. They have established procedures and mechanisms for deploying personnel with the minimum inescapable delays, sometimes within 48 or 72 hours. Interviewees mentioned the use by OCHA of two rosters managed by the Norwegian Refugee Council, one under the Protection Standby Capacity Project (ProCap) and one under the Gender Standby Capacity Project (GenCap), as well as its use of Justice Rapid Response, an intergovernmental tool supported by more than 70 countries from all regions which provides expertise in areas related to forensics, criminal investigation and gender-based violence. Organizations outside the United Nations system, such as the International Committee of the Red Cross and the International Organization for Migration, have also acquired rapid deployment capabilities.

150. There seems to be no reason why OHCHR should not be allowed, by suitably interpreting and/or modifying existing regulations as necessary, to utilize gratis personnel for rapid deployment in unforeseen emergencies, as other United Nations entities are able to do. Recourse to gratis personnel would have to be, of course, a temporary measure, used only to fill in gaps during emergencies until regular appointments are effected.

151. Unnecessary bureaucratic obstacles or overly legalistic interpretations of mandates should not impede OHCHR from being able to benefit from external rapid deployment mechanisms that can reinforce its own capacities to meet the demands set out for it by the Human Rights Council and other United Nations bodies and to fulfil its objectives to promote and protect human rights. Rather than having OHCHR build up its own staffing complement, it would be cost-effective, and far more efficient and effective, if the Office were able to have access to existing rosters of trained and vetted experts, bearing in mind the skill levels and expertise required and the need for the experts to come from all regions as appropriate.

152. Several interviewees indicated that the obstacles faced regarding rapid deployment are not limited to OHCHR; rather, they represent an organization-wide issue. Therefore, it would be useful to have special sets of procedures for rapid deployment. This needs to be addressed at the highest organizational level, and requires an appropriate policy decision.

153. **The Inspector concludes that OHCHR should undertake, by no later than the end of 2015, a thorough study of the practices and procedures of the United Nations and other entities, with a view to importing good practices from other relevant departments and entities and optimizing ways for creating a rapid response and deployment mechanism and associated procedures. OHCHR should foster and enhance cooperation with DPA, DFS and other relevant United Nations entities in this respect, including by exploring ways to establish a framework for deploying human rights experts of those entities to rapid response and deployment missions.**

154. With regard to the capacity of OHCHR to address human rights emergencies, several interviewees spoke of problems arising from the absence of an "operations room" or a "24/7 help desk" at the headquarters. On the one hand, victims of human rights violations would not know whom to approach during off-duty hours, holidays or weekends or how to approach them; on the other, personnel from the field would not know whom to inform at headquarters during times of rapidly evolving emergencies that are accompanied by human rights violations. The issue is also related to the safety and security of field personnel who are at increasing risk because of the nature of their job, and the need to enable them to inform headquarters through an institutional set-up, rather than through existing channels, many of which seem to be informal.

155. OHCHR noted that it contributes to, and is part of, the New York-based United Nations Operations and Crisis Centre. In addition, while OHCHR does not have a formal operations room, each geographic branch has established emergency contact procedures and is reachable 24 hours a day, seven days a week, in particular during crisis.

156. The action plan of the Human Rights Up Front initiative calls for establishing at headquarters coordination mechanisms for early warning and early action and a robust system for gathering and analysing information on threats and risks to populations. The functional review also referred to the need to build capacity for early warning and crisis responses.

157. Many United Nations entities, such as the United Nations Children's Fund (UNICEF), UNHCR, DPKO-DFS, DPA and others, as well as outside entities, such as the International Committee of the Red Cross and the International Organization for Migration, have emergency operations/response centres, although they are called by different names.

158. A modest set-up at OHCHR headquarters could address these questions of inadequate resources and capacity vis-a-vis growing demands, [illegible]ing with respect to the safety and security of OHCHR personnel in the [illegible]hile also responding to the demands made in reviews and action plans.

159. **The Inspector concludes that the High Commissioner should review the practices of other United Nations entities in regard to emergency operations and set up, on a pilot basis, an emergency operations/response centre or mechanism/function by no later than the end of 2015.**

160. Information relevant to the present section can also be found in chapter IX on mainstreaming human rights across and improving cooperation within the United Nations system.

C. Delegation of authority

161. Delegation of authority to OHCHR for human resources and financial management is currently limited. Other entities of the Secretariat, such as UNEP, UNCTAD and OCHA have greater delegated authority than OHCHR in the area of human resources management.

162. The Secretary-General has delegated authority on human resources management and finance in respect of OHCHR to UNOG. While OHCHR seems satisfied with the services provided by UNOG, the current system often leads to delays, and impedes the Office from managing human resources flexibly for recruitment and re-deployment of staff at short notice and rapidly in human rights emergencies. Limited delegation of authority may also lead to additional workload and inefficiencies.

163. As noted, heads of human rights components of peacekeeping missions have greater delegation of authority. For instance, they can hire staff up to the P-5 level. In contrast, the head of an OHCHR regional or country office has only limited delegation of authority; he or she can hire local recruits up to the G-4 level; everything else goes through OHCHR headquarters. Several interviewees considered the existing delegation of authority as being not realistic and too time-consuming and hence costly and inefficient, resulting in delays, additional workload and cumbersome processes. The Office had brought up the subject on numerous occasions with the Secretariat, and more recently, in the context of the RBM working group.

164. It was noted by many that delegation of authority is a complex topic. Currently, UNOG is the service provider for OHCHR. This has advantages: the provision of common services allows for synergies and efficiency gains in providing general administrative and other support, and it makes possible benefits from economies of scale in the case of procurement. However, there is a risk of duplication of functions, and there are implications for mobility of the staff across the Secretariat in the case of increased delegation of authority on human resources management recruitment.

165. In line with the United Nations accountability framework, a due process and separation of functions are needed. While it can lead at times to additional administrative burden and prolong the processes, such a system of checks and balances is indispensable. Additional delegation of authority would warrant capacities to handle the additional workload, including compliance with the required separation of functions.[35]

166. Recruitment carried out under additional delegation of authority often entails contractual arrangements that impose restrictions on the staff members appointed through that process. Such appointments are usually limited to service within the same department/office. This limits movement to other departments/offices, and leads to dissatisfaction and limited mobility and sustainability of the workforce.

167. The Office has to adapt to its transformation from a headquarters-based, normative entity to one engaged increasingly in operational activities, with significant expansion of field presences. The existing delegation of authority to

[35] See also JIU/REP/2011/5 on accountability frameworks in the United Nations system.

UNOG in the case of OHCHR was done when OHCHR was primarily a headquarters-based organization.

168. Additional functions for the Office are envisaged in the Secretary-General's Human Rights Up Front action plan. The existing Secretariat rules, regulations and processes, including the limited delegation of authority on human resources management, may not be the most appropriate model for the Office to fulfil those functions.

169. The practices and arrangements of other entities, such as DPA, DPKO, OCHA, UNCTAD, UNEP and UNODC should be looked at with a view to identifying good practices that could be applied at OHCHR as appropriate. The recent SMT decision to establish a centralized human resources management function, as suggested by the functional review, should be taken into consideration.

170. **The Inspector concludes that the High Commissioner should review, in consultation with other relevant departments concerned, the delegation of authority of OHCHR in terms of human resources management, financial management and related issues, and submit to the Secretary-General, by the end of 2015, concrete suggestions for improvement.**

V. RESOURCES, STRATEGIC PLANNING, PROGRAMMING AND MONITORING

A. Funding for the Office of the United Nations High Commissioner for Human Rights

171. The OHCHR regular budget has gradually increased,[36] and voluntary funding grew substantially over the past decade (see fig. 1). OHCHR is heavily dependent on extrabudgetary resources; approximately 60 per cent of the work of OHCHR is funded through voluntary contributions from donors,[37] with the remaining 40 per cent funded through the regular budget.

[36] In particular since the 2005 World Summit, when Heads of State and Government committed to doubling the resources for the Office over five years.

[37] According to the *OHCHR Report 2013* (p. 135), 90 per cent of unearmarked voluntary contributions came from 12 countries, 75 per cent came from 7 countries and 55 per cent came from 4 countries.

Figure 1: Overview of funding for the Office of the United Nations High Commissioner for Human Rights (2000–2013)

Source: OHCHR Report 2013, p. 130; OHCHR Funding trends (www.ohchr.org/EN/ABOUTUS/Pages/Figures.aspx).

172. The amount of voluntary contributions provided without earmarking has grown steadily since 2002. In 2013, about 54 per cent of the voluntary contributions provided to OHCHR were unearmarked.[38]

173. Reliance on extrabudgetary funding comes with challenges and risks. It could affect delivery of services in the event of funding shortfalls. It creates challenges for planning, programming and budgeting, including additional workload for the Office, and additional reporting and other donor requirements. More importantly, reliance on extrabudgetary funding could affect the perceived objectivity and independence of OHCHR if the Office is seen as supported by a few countries.[39]

174. The strategic planning and programming processes need to be adequate and designed to address these challenges and mitigate the related risks.

B. Trust funds

175. OHCHR has delegated authority under which it administers 10 trust funds. Of a total of $97.3 million, the trust fund in support of activities of OHCHR is the largest by far, with $66 million.

176. The United Nations Voluntary Fund for Victims of Torture and the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery have been the subject of OIOS reviews; OHCHR confirmed that all recommendations made by OIOS have been implemented. The funds' secretariat has revised application templates, updated and developed the evaluation mission templates, processing and funding cycles and the guidelines of both funds. Measures to monitor the use of

[38] For details please see annex IV.

[39] In its risk assessment of OHCHR, OIOS rated this as the Office's highest risk.

grants have been strengthened. Compliance of grant beneficiaries with financial and audit reports is being enforced.

177. Concerns regarding trust funds had been highlighted in a previous JIU report (JIU/REP/2007/8), which contained two related recommendations. In recommendation 3, JIU called upon the Office to establish an appropriate board of trustees for the trust fund in support of activities of OHCHR, to review and approve the specific projects and activities to be financed by the fund. In recommendation 7, the High Commissioner was requested to inform the Human Rights Council of the voluntary contributions received by OHCHR, their allocation and the conditionalities attached to them. Both recommendations were effectively turned down in the related management response.[40]

178. As mentioned in the 2007 JIU report, there is no mechanism for the involvement of Member States to review or approve the operation of the trust funds, nor are they kept informed of the conditions attached when individual contributions are made, apart from the information provided in the OHCHR annual reports.[41] In this regard, the Inspector would like to draw attention to the numerous reports of OIOS on the subject in recent years, including on risk assessment of OHCHR (report No. AE2007/330/01) and individual reports on the use of some of the trust funds and investigations into the alleged misappropriations by some grant recipients.

179. **Having reviewed the situation, the Inspector reiterates recommendation 7 of JIU/REP/2007/8, and requests the High Commissioner to initiate, as from 2015, the practice of keeping the Human Rights Council informed of the voluntary contributions received, earmarking specifications, their allocation and conditionalities attached, if any, so as to improve transparency and the accountability of the Office to Member States.**

C. Resource mobilization, outreach and partnerships

180. The resource mobilization function in OHCHR is underpinned by a five-year outreach fund-raising strategy covering the 2012–2017 period, in which the need to develop the Office's outreach capacity is identified. The strategy is tied to the annual workplan and cost plan reviewed and approved by the Programme and Budget Review Board, which also monitors its implementation. The integrated external relations strategy is expected to be finalized and adopted in the second half of 2014.

181. A revised standard operating procedure on donor relations and fundraising was promulgated by the High Commissioner in 2012. It emphasizes the importance of establishing and maintaining good donor relations, making efforts to enlarge the donor base by attracting new and non-traditional donors, and enhancing the predictability of funding. It outlines several measures, such as regular donor briefings, annual consultations with major donors, annual appeals and annual reports that meet donor requirements, and emphasizes the importance of providing any additional information as required.

[40] See A/62/845/Add.1, paras. 14-16 and 22-23.

[41] For further details, please see JIU/REP/2007/8.

182. The External Outreach Service was created in 2013 and the Donor and External Relations Section was strengthened by one additional post in 2014, in order to signify the priority attached to resource mobilization and diversification of funding sources.

183. The High Commissioner and the Deputy High Commissioner have been paying considerable attention to mobilizing resources. They have been taking the lead in recent years and playing a critical role in raising the question with major traditional donors as well as with non-traditional ones. The practice of launching an annual appeal was re-established in 2013. A "donate now" functionality was created on the OHCHR website in 2013.

184. The Office has encouraged fundraising at the field level in recent years, in order to benefit from the increased delegation of authority to the field by many donors. The Office has been trying to ensure that messages from headquarters and the field in this regard are similar and mutually reinforcing. This requires more training for staff at the field level on resource mobilization.

185. The majority of donors accept the annual report as sufficient in meeting their reporting requirements. In the case of earmarked contributions, specific reports are produced as required; in 2012, almost 40 such reports were submitted to donors in accordance with the agreements with them. This creates demands on staff resources, as considerable time is spent, both in the field and at headquarters, in producing these reports. The PMS has played a significant role in streamlining reporting and reducing related transaction costs.

186. The challenge before the Office is to maintain the same, or an increasing, level of activities in the current global trend of stagnating or decreasing resources as a result of reduction in contributions by some donors following the global economic and financial crisis.

187. The Office has achieved progress, as evidenced by the positive results and trends of continuous increase of extrabudgetary contributions. However, in view of the increasing mandates, activities and resources needs, it would benefit from a further strengthening of its fundraising and outreach policies and measures.

188. As indicated by many interviewees, there does not seem to be sufficient emphasis within OHCHR on developing strategic and long-term partnerships; there is a tendency to look upon fundraising as episodical, ad hoc and opportunistic. The 2009 OIOS evaluation and the ongoing functional review identified the absence of measures for establishing and maintaining strategic partnerships as an area for improvement.[42]

189. Recalling the recent JIU report on resource mobilization (JIU/REP/2014/1, para. 42), the **Inspector encourages OHCHR to put in place measures for strengthening partnerships with contributors so that resource mobilization is perceived as a continuous process of attentive nurturing of lasting relationships**

[42] Other suggestions for improvement that came out of the functional review include, inter alia: making fundraising a management responsibility and increasing fundraising capacity in the field and at headquarters; including fundraising in annual work plans; developing fundraising guidelines and training; ensuring greater coherence between headquarters and the field; and strengthening the coordination role of the Donor and External Relations Section. For details, see "OHCHR functional review: summary of findings and proposals", and the report of the functional review task force on resource mobilization, presented to the SMT at its retreat in 2014.

with partners, through, inter alia, regular and effective communication, rather than purely fundraising activities.

190. **Member States, when providing specified contributions, should make them predictable, long-term and in line with the core mandate and strategic priorities of the Office.**

191. Like many other organizations of the United Nations system, OHCHR has been seeking to expand its donor base and diversify sources of funding in recent years by reaching out not only to non-traditional State contributors, but also to private sector corporates, philanthropic foundations and high-net-worth individuals. **The importance of putting in place appropriate risk management policies and due diligence processes in this context cannot be overemphasized.**[43] **The Inspector reiterates the recommendation that while expanding the donor base and diversifying sources of funding, it should be ensured that the due diligence process is not performed by the same individuals responsible for fundraising.**

192. If the post-2015 development agenda has a strong human rights component, the prospects for resource mobilization are likely to expand accordingly; equally, this would pose additional challenges for the Office with respect to becoming more operational, identifying opportunities for resource mobilization, developing the necessary skill sets and imparting necessary training for headquarters and field personnel on resource mobilization.

193. The Inspector concurs with the observations of many that OHCHR could further improve outreach and resource mobilization. As a starting point, there needs to be a clear and comprehensive policy framework for outreach and fundraising activities, so as to ensure consistency and coherence across the Office, both at headquarters and in the field. In particular, clear criteria and processes on how fundraising and outreach activities are being undertaken, how (potential) donors are being addressed and how individual donor agreements are concluded need to be established. It is of utmost importance to ensure that all resource mobilization and outreach activities are in accordance with, and do not contest, the independence of the mandate of the High Commissioner and are aligned to the strategic priorities of the Office as contained in its strategic plans.

194. **The Inspector concludes that the High Commissioner should speed up the development of the Office's outreach/fundraising/partnership strategy. The strategy should be endorsed no later than by the end of 2015. The High Commissioner should inform the governing bodies of the adoption of the strategy and report periodically on its implementation.**

D. Strategic planning

195. OHCHR has two strategic planning processes and documents in place: the Secretary-General's strategic framework (Proposed strategic framework for the period 2014-2015, Part two: biennial programme plan, programme 20, Human rights (A/67/6 (Prog. 20)); and the OHCHR Management Plan 2014-2017.

196. The two planning documents and processes are different. The strategic framework (programme 20, Human rights), covering a biennium, is adopted by the

[43] See the section on risk management above.

General Assembly after discussions in the Committee for Programme and Coordination and the Third Committee. It outlines the four human rights subprogrammes and respective mandates and contains performance indicators. The Secretary-General reports biennially, through his programme performance report of the United Nations,[44] on the implementation of the strategic framework based on information provided through the Integrated Monitoring and Documentation Information System (IMDIS). The strategic framework serves as the basis for the programme budget, adopted by the General Assembly.

197. The OHCHR Management Plan 2014-2017 covers a four-year period[45] and outlines the Office's priorities. In preparing that OMP, OHCHR has been guided by the Secretary-General's strategic framework for 2014–2015, as well as by the mandates given to the Office by different intergovernmental bodies.[46]

198. The OMP is structured along six thematic priorities and contains 11 expected accomplishments, first defined in the 2008–2009 biennium. Indicators were defined for each of the expected accomplishments, and protocols drafted to facilitate accurate and consistent monitoring and reporting.[47] Performance monitoring and reporting against the OMP are done through the PMS. As explained to the team, it allows for evidence-based reporting on the basis of indicators.

199. In preparing the OMP, the Office held consultations with a wide range of stakeholders, including Member States, and organized five office-wide regional consultations. The consultations were complemented by data collection and analysis, including a desk study and online questionnaires distributed to OHCHR staff and United Nations human rights experts. The large amount of information generated by the consultative planning process was analysed by the Policy, Planning, Monitoring and Evaluation Service, with the support of a cross-divisional technical working group, on the basis of: the relevance of the themes in human rights terms; the likelihood of making a difference; and the Office's possible added value in each respective area. On the basis of information gathered, the SMT decided on specific thematic priorities and focus areas for the upcoming programming cycle.

200. The draft strategies developed around each of the identified thematic priorities were presented to Member States in October 2013 to seek their comments. These documents were revised to ensure that the priorities and strategies had been defined within the Office's mandates and in line with the human rights programme of the Secretary-General's strategic framework. The High Commissioner launched the OMP at a meeting with Member States in April 2014.

201. The Inspector takes note of the progress made in improving strategic planning and performance monitoring and reporting, and acknowledges the efforts made over the years in improving consistency, clarity and effectiveness. Many interviewees indicated that the Office has made continuous enhancements in this area in past years. This has been also supported by the JIU staff survey; more than one third of the respondents agreed or fully agreed that the strategic planning process at

[44] See, for example, A/67/77 and Corr.1.

[45] The previous two OMPs each covered a two-year period (2012–2013 and 2010–2011). Moving from a two-year to a four-year programming cycle has enabled OHCHR to invest more time and resources into a consultative strategic planning process.

[46] OHCHR Management Plan 2014–2017, pp. 6 and 13.

[47] Ibid., p. 11.

OHCHR is effective and supports RBM.[48] However, there are still shortcomings which need to be addressed.

202. Having two different planning processes and documents may create problems, leading to duplication and inconsistencies, and may not be effective, despite the different time periods covered. It could lead to contradictions or lack of clarity regarding the strategic priorities of the Office. The fact that there are two different performance monitoring systems and reports in place — the Secretary-General submits a programme performance report based on information provided through IMDIS, and the High Commissioner submits annual reports based on information generated through the PMS — reinforces those problems.

203. These concerns were shared by a number of interviewees, who noted that programme 20 was the basis of all United Nations activities in the field of human rights and, on the basis of that programme, there was the budget. In their view, the priority of the High Commissioner should be based on the existing programmes. It was difficult to merge the six priorities of the Office and the four existing programmes. They indicated that those different approaches put them in a situation where they saw that there was no transparency tool and Member States were lost. Others indicated that it used to be a State-driven process but it was turning into a more Secretariat-driven process, and that consultations on the 2014–2017 management plan were not adequate and timely. They stated that there were only two briefings and the documents were only made available to Member States on short notice. Member States were not able to carefully study them and consult with their capitals.

204. Another interviewee commented that "the priorities set by OHCHR are not fully in line with the strategic framework approved by the General Assembly and with the intergovernmental mandates. For that reason, we consider that these priorities have to be discussed and approved by Member States. Programming and planning is an important issue and it is important that the Office follows the pertinent United Nations policies."[49]

205. Interviewees satisfied with the current process did not have such concerns. It was stated that "there is sufficient oversight and opportunity for States to express their views on the strategic plan, thematic priorities and OHCHR's management plan. The High Commissioner has provided extensive information by, on the one hand, sharing the biennial programme plan in respect of programme 20 and, on the other hand, by holding an informal meeting with States in order to discuss the proposed strategic framework prior to the Committee for Programme and Coordination review." It was also stated that "in recent years, the High Commissioner has held wide consultations with all relevant stakeholders and has been very much willing to have an interactive dialogue with Member States, in a transparent manner, concerning the Secretary-General's proposed strategic framework. Apart from the organization of numerous briefings in Geneva, and the interactive dialogue with the Human Rights Council, the Office has also been

[48] These responses are more positive than those in surveys conducted in the context of the organizational effectiveness programme and the 2009 needs assessment.

[49] Namely, the provisions of regulation 4.8 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2000/8).

willing to compile and submit the Member States' views on the strategic framework for transmission to [the Committee for Programme and Coordination]."

206. In the view of the Inspector, the concerns expressed, although not shared by all interviewees equally, are significant, serious and deserving to be addressed. Strategic planning has to be aligned with the strategic priorities of the Office as agreed upon by its membership and as outlined in the relevant intergovernmental mandates and priorities. In the case of the Secretary-General's strategic framework, the relevant intergovernmental mandates are included in the document.

207. In contrast, the relevant intergovernmental mandates are not specifically included in the OMP, which has only a general reference to the strategic framework[50] and a few references in the specific substantive texts. It is structured differently from the strategic framework, having six strategic priorities, which makes it difficult to clearly align it to the four human rights subprogrammes of the strategic framework. It does not contain clear references to the pertinent intergovernmental mandates of the Office. It is difficult to review and ensure alignment of the OMP with the strategic framework, the latter being the only document with clear reference to the relevant intergovernmental mandates endorsed by the Member States. The Office commented that the OMP does not contain clear references to the pertinent intergovernmental mandates of the Office since within the strict confines of the specifically mandated activities, the OMP represents the High Commissioner's assessment of how best to address the mandate.

208. The Inspector perceives an inherent risk of incoherence between the two plans, in particular relating to the fact that the priorities set in the OMP are not fully aligned with those of the strategic framework endorsed by the wider membership, or with other human rights mandates and priorities established by relevant intergovernmental bodies. Performance monitoring and reporting on the implementation of the plans is done though two different reports: the Secretary-General's performance report on the strategic framework and the High Commissioner's annual report on the OMP. This has led to some legitimate and understandable concerns, voiced by many stakeholders.

209. Additionally, intergovernmental consideration and endorsement of the two strategic planning documents differ significantly. The strategic framework is prepared in accordance with the procedures outlined in the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation. The rules, regulations and practices followed in the preparation of the OMP, and how they are in full alignment with the pertinent United Nations policies and practices, are not clear. The strategic framework is discussed and endorsed by the General Assembly, after review by the Committee for Programme and Coordination; no such formal discussion or endorsement of the OMP by OHCHR membership takes place. Although there are, at various stages of the preparation of OMP, consultations with Member States, NGOs and other stakeholders, the lack of structured and obligatory consultations does give rise to some concerns.

210. The Inspector acknowledges that the two processes are intended to be complementary, pointing to, among other things, the advantage of having the strategic framework structured around divisions and the OMP structured around

[50] OHCHR Management Plan 2014–2017, p. 13.

results to which more than one division contributes cooperatively. Equally, the OMP has contributed to the improvements made by OHCHR in terms of RBM, which would not have been possible had OHCHR limited itself to using the existing strategic framework and IMDIS system as its sole planning and monitoring frameworks. In this regard, the Inspector wishes to refer to the recent JIU report on strategic planning in the United Nations system (JIU/REP/2012/12), in which the important difficulties faced by the Secretariat in implementing RBM within the existing processes were indicated.

211. At the same time, there are the various shortcomings as outlined. In the view of the Inspector, there needs to be a reasonable assurance that the process followed by the Office for the preparation of the OMP is in accordance with the existing policies, rules and regulations for strategic planning. There is a risk that the process, instead of being Member State-driven, may become Secretariat-driven. This is important insofar as the allocation of resources to activities and priorities and the monitoring thereof are based on the OMP.

212. Having two planning processes, planning documents and performance monitoring systems and reports negatively affects transparency and accountability on how extrabudgetary contributions are allocated and how they are used, on whether results have been achieved and on whether resources have been used effectively and efficiently. Having two systems in place may also result in duplication of work and inefficiencies.

213. Building on the progress made and the ongoing discussions at the Secretariat and taking into account the concerns outlined, the High Commissioner should establish a working group composed of the SMT and other senior staff as necessary, to review the strategic planning process(es), including: alignment, relationship and complementarity of the OMP with the Secretary-General's strategic framework; rules, regulations and procedures for preparation of the strategic plan(s); how they support the implementation of RBM, i.e., allocation of resources, and the reporting on and monitoring of their effective and efficient use and performance; and involvement of Member States and other stakeholders in the process, including discussions and endorsement of the final planning document(s) by the relevant intergovernmental body(ies).

214. The implementation of the following recommendation is aimed at improving the OHCHR strategic planning and programming process:

Recommendation 3

The High Commissioner should establish a working group, composed of the Senior Management Team and other senior staff as necessary, to review the OHCHR strategic planning process(es) in consultation with other relevant departments as necessary, and submit to the General Assembly, through the Secretary-General, the report of the working group, for its consideration by no later than the seventy-first session of the Assembly.

E. Programming, budgeting and financial management

215. Allocation of resources within OHCHR, for which the Programme and Budget Review Board has the main responsibility, takes place in the context of the Office's programming process, that is, preparation of the OMP, approval of the annual workplans and cost plans and review of new programmatic proposals. The Board proposes, and the High Commissioner approves, a total financial envelope for the year, based on regular budget and fundraising projections, implementation rates and carry-over.

216. Regular budget funds are allocated by the General Assembly for the implementation of mandated activities. Extrabudgetary resources are allocated to different divisions based on annual workplans and cost plans approved by the Programme Budget and Review Board. The Board meets as often as required, based on emerging needs or availability of additional resources, to review new proposed programmes. It ensures that the proposed activities are in line with the Office's mandate, that they reinforce the approved programme and that they do not divert resources from the agreed priorities. It also conducts structured mid-term reviews to monitor progress and ensure alignment with the strategic goals and priorities of OHCHR.

217. The regular budget of OHCHR is complemented by significant voluntary contributions, which amount to about 60 per cent of its total budget.

218. Many interviewees from the Secretariat and Member States pointed to the risks inherent in the expansion of extrabudgetary resources. Serious concerns about the risks of overdependence on extrabudgetary resources, even for the performance of the core activities, and the use of staff funded by such resources for performing core functions were raised, with many pointing out the likely distortion of the mandate, the risk for the stability and sustainability of activities, and the danger of the Office becoming or being perceived as more donor-driven.

219. In view of these concerns, **the Inspector wishes to refer to and reiterates the importance of recommendation 2 and the suggestion related to trust funds (para. 179) above.**

220. The report submitted by the Human Rights Council to the General Assembly is accompanied by a revised estimates report that contains a summary of the financial implications of the resolutions and decisions adopted during the year. The summary is reviewed by the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee, and decisions are made for the allocation of additional resources to undertake the newly mandated activities. As this process takes place only at the end of each calendar year, many mandates established early in the year for completion during the year have to be implemented within existing resources, or by resorting to subvention from the provisions for unforeseen and extraordinary expenses.

221. Delays are caused in obtaining financial appropriations for activities mandated by the Human Rights Council, as programme budget implications (PBIs) are consolidated for submission to the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee only for the main session of the General Assembly, that is, only once a year for all three sessions of the Council. This inevitably implies delays, only partly ameliorated by resorting to funds for

unforeseen and extraordinary expenses, as those funds are used only for commissions of inquiry or fact-finding missions.

222. Member States propose many mandates with the stipulation that they are to be "absorbed within existing resources", thereby providing no resources specific to the implementation of those activities and thus requiring their completion at the expense of other mandated activities. In cases where a substantial new mandate is established with urgent and time-sensitive implementation requirements, OHCHR is able to request through the Controller an authorization from the Advisory Committee on Administrative and Budgetary Questions to commit resources under the General Assembly's provisions for unforeseen and extraordinary expenses. This allows for rapid access to urgently required funding, but only as an exceptional measure.

223. Another issue highlighted during the interviews was that the General Assembly usually only "takes note" of the resolutions and decisions of the Human Rights Council, and according to the current practice, this does not seem to be adequate for the budget division of the Secretariat (Office of Programme Planning, Budget and Accounts) to give full effect to their implementation for projecting financial implications to the Fifth Committee of the General Assembly. The practice of the Fifth Committee with regard to the resolutions of the Security Council seems different; it is sufficient for the General Assembly to take note of the resolutions of the Security Council to give full effect to their financial implications. Consequently, the different practices have an impact on the oversight role of the Member States as regards the adequate and effective implementation of their own decisions.

224. A related observation pointed to the difference in the levels of understanding about the resolutions and decisions of the Human Rights Council between the same Member State's delegation in Geneva and its delegation in New York. This may impact adversely on informed decision-making by legislative organs, and result in difficulties, in particular when resources are being allocated for the implementation of resolutions. This impedes the role of the relevant governing bodies in following up on, reviewing and commenting on the implementation of mandated activities.

225. Progress has been made in recent years by the Office and the President of the Human Rights Council in respect of improving interaction with Member States. Briefings of New York delegations are held after the Human Rights Council sessions to inform Member States' representatives on the major outcome and decisions. Equally, Geneva delegations are increasingly apprised of human rights-related discussions and decisions of intergovernmental bodies in New York through informal dialogues.

226. As indicated in the interviews, there seems to be still some disconnect, which affects the functioning of the OHCHR legislative organs. These issues are discussed in the respective chapters and sections.[51]

F. Results-based management

227. Many interviewees from the Secretariat, Member States and oversight bodies indicated that OHCHR has made progress in recent years towards improving results-

[51] See, for example, chapter II on governance.

based management and incorporating a results-based approach into its policies and work processes.

228. In line with the Secretary-General's five-year action agenda of 25 January 2012, the Office undertook various measures: establishing through the OMP an Office-wide results framework based on targets and indicators; developing more user-friendly RBM policies and guidelines; introducing and improving RBM supportive systems and tools, such as the PMS; and enhancing staff capacity for implementing RBM through training. OHCHR also strengthened its evaluation function in 2013.

229. The Office has envisaged a range of measures and steps for full RBM implementation over the planning cycle 2014-2017. Those include: ensuring that information resulting from results-based monitoring is used for high-level decision-making and particularly for the allocation of resources (staff and activities); developing the review modules in the PMS to ensure coherence of the plans throughout the four-year programming cycle; ensuring that annual workplans (the documents and the process) become a management tool Office-wide; and revisiting existing plans by measuring progress towards results, reallocating resources accordingly and improving internal coordination.[52]

230. The Inspector welcomes these efforts for incorporating RBM into the Office's policies and processes. As noted above, some issues remain to be addressed in further improving the strategic planning methodologies and processes as well as accountability and transparency.

231. In the view of the Inspector, a major problem exists in the present results-based monitoring and reporting: the current processes and planning documents do not allow for a clear assessment of how the allocated funds have been used; equally, the PMS does currently not allow for adequate financial tracking, monitoring and reporting of the resources allocated and an assessment on their effective and efficient use.[53]

232. While some of these shortcomings have been already identified and taken into account among the measures for improving RBM in the coming 2014-2017 planning cycle, others need to be addressed on a priority basis. **The Inspector concludes that the High Commissioner should implement without delay further steps towards achieving full results-based monitoring and reporting, including all measures outlined in the OHCHR Management Plan 2014-2017, and provide to the OHCHR governing bodies an interim report thereon by the end of 2015 and a final report by 2017.**

VI. HUMAN RESOURCES MANAGEMENT

233. OHCHR is a part of the Secretariat, subject to the human resources framework and policies set by the General Assembly and the respective regulations and rules promulgated by the Secretary-General, and follows the practices of the Secretariat.

[52] Please see annex II for a complete list of actions for improving RBM during the period 2014-2017.

[53] The PMS includes a module for financial monitoring; implementation of the module was suspended at the time of the review (a) to see how MAYA could be linked to the PMS and (b) in the expectation that Umoja would integrate an RBM module, which is not envisaged until Umoja Extension 2, planned for 2018.

A. Equitable geographical distribution

234. The present chapter responds to the specific request made to JIU by the Human Rights Council in its resolution 22/2 of March 2013, by providing an update to earlier JIU reviews.

235. JIU has addressed the question of equitable geographical distribution in its previous four reviews of OHCHR (in 2003, 2006, 2007 and 2009), undertaken in response to requests by the Commission on Human Rights/Human Rights Council and the General Assembly.[54]

236. In its 2009 review of OHCHR, JIU provided information on and assessed the status of follow-up on the three previous JIU reports; information thereon is provided in annex I. The 2009 report made the following three recommendations aimed at improving equitable geographical distribution:

JIU/REP/2009/2 – Recommendations[55]

Recommendation 1

The High Commissioner should report to the Human Rights Council, on an annual basis, on measures taken, including specific targets and deadlines set by OHCHR in compliance with relevant General Assembly mandates, to improve geographical distribution of staff and the subsequent implementation and results therein.

Recommendation 2

The Human Rights Council should monitor, on a biennial basis, OHCHR staffing to ensure compliance with the mandates of the United Nations General Assembly.

Recommendation 3

The Human Rights Council should further encourage Member States to promote the selection and financing of candidates from developing countries in the Associate Expert Programme for OHCHR.

Comments and follow-up thereon by OHCHR[56]

OHCHR notes that it is in full compliance with recommendation 1, which it achieves through the annual reports on the composition of the staff of the Office submitted to the Human Rights Council. Those reports include data on the composition of staff of OHCHR, including on equitable geographical distribution according to the system of desirable ranges and by regional group, as well as on measures taken by the High Commissioner to improve the balance of geographical distribution in line with the Human Rights Council's requests, while fully complying with the Secretariat human resources policies. Similar reports on the composition of the Secretariat are submitted annually by the Secretary-General to the General Assembly.

[54] General Assembly resolution 61/159, Commission on Human Rights resolution 2002/80, endorsed by the Economic and Social Council in its decision 2002/272.

[55] See also the assessments made in JIU/REP/2009/2 (paras. 9-14) regarding the follow-up on relevant recommendations of previous JIU reports; please also refer to the respective management response (A/64/98/Add.1).

[56] See also A/64/98/Add.1.

OHCHR fully endorsed recommendation 3, and would welcome the expansion of the Associate Expert Programme through the participation of more Member States in the programme and in the financing of candidates from developing countries. The United Nations High Commissioner for Human Rights did indeed raise this issue with the representatives of Member States whenever the opportunity arose, encouraging them to both join and expand the programme, and will continue to do so.

OHCHR was not in full agreement with recommendation 2, and stated the following:

> The Secretary-General recalls that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibility for administrative and budgetary matters. Assembly resolution 61/159 reaffirms this fact. Accordingly, OHCHR is not in full agreement with this recommendation. While the Office of the [United Nations] High Commissioner for Human Rights does indeed provide the Human Rights Council with detailed documentation on the composition of its staff, the Fifth Committee has the role of monitoring of staffing in accordance with Assembly mandates. In this context, the basis for the monitoring of all Secretariat staffing remains the system of desirable ranges mandated by the Assembly.
>
> OHCHR therefore proposes that it continue to provide an annual report to the Human Rights Council on the composition of the staff and the measures taken in compliance with General Assembly mandates to improve the geographical diversity of the Office in line with recommendation 1, for information and review purposes.

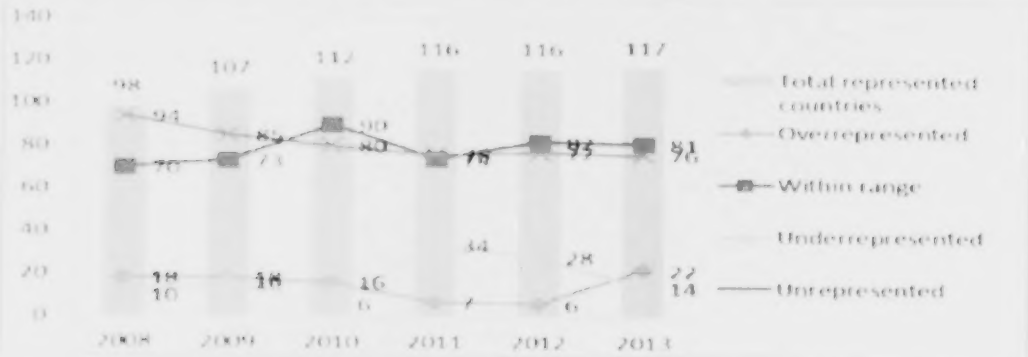
237. The Secretary-General presents to the General Assembly annual reports on the composition of the Secretariat in accordance with the pertinent resolutions.[77] As requested by the Assembly, the Secretary-General conducted reviews of the system of desirable ranges.[78] In its resolution 67/255 (paras. 46 and 57), the Assembly requested the Secretary-General to submit to the Assembly, at its sixty-ninth session, a comprehensive review of the system of desirable ranges.[80]

[77] General Assembly resolutions 59/266, 60/238, 61/244, 63/250, 65/247, 66/234, 67/255 and 68/252.

[78] See, for example, A/65/305/Add.2, A/59/724 and A/58/767.

[80] See A/69/190/Add.4. It should be noted also that, in line with a request by Member States, the reports of the Secretary-General entitled "Composition of the Secretariat: staff demographics" (the latest being A/69/292) include information on staff composition at the D-1 level and above by economic grouping of the staff member's country of nationality (developed and developing countries) and gender (see, for example, A/69/292, paras. 15 and 40 and tables 7 and 20).

Figure 2: Office of the United Nations High Commissioner for Human Rights: representation of Member States under the system of desirable ranges[a]



Source: Reports of the United Nations Commissioner for Human Rights on the composition of the staff of the Office of the United Nations High Commissioner for Human Rights (A/HRC/27/18, A/HRC/22/69 and Corr.1, A/HRC/19/24, A/HRC/16/35, A/HRC/13/18). The figures for the unrepresented Member States are calculated based on the total membership of the Secretariat of the United Nations; it should be noted that the system of desirable ranges does apply to the Secretariat as whole and not to a specific department/office or entity; the information is presented to show general trends.

Note: Number of total Member States: 192 from 2008 to 2011, 193 from 2012 to 2013.

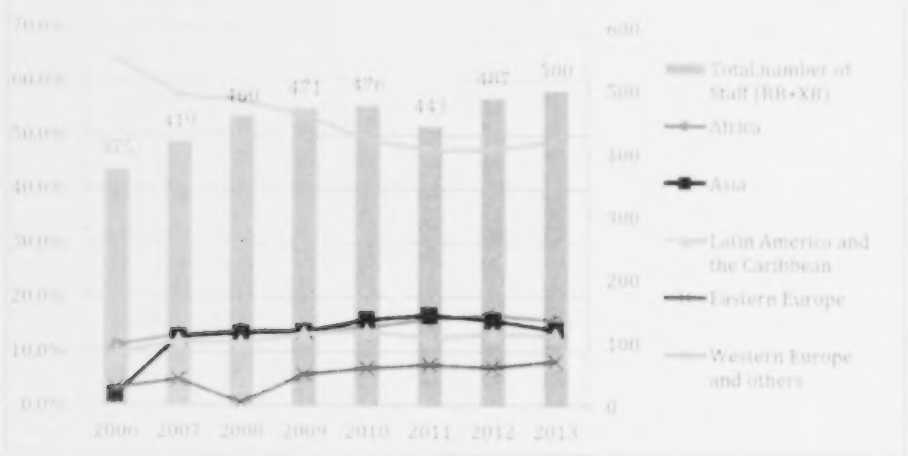
[a] OHCHR calculation based on the representation of Member States with respect to both geographical and non-geographical posts. For details, please see A/HRC/27/18, A/HRC/22/69 and Corr.1, A/HRC/19/24, A/HRC/16/35, A/HRC/13/18. For the number/population of staff subject to the system of desirable ranges, please refer to relevant General Assembly resolutions and related Secretary-General reports, for example, A/68/325, paras. 36-40.

238. The figures show improvements in the geographical distribution of staff at OHCHR in line with the system of desirable ranges. The number of represented countries increased from 98 in 2008 to 117 in 2013; of those, the number of countries within range increased from 70 in 2008 to 81 in 2013 (see fig. 2). At the same time, there has been an increase in underrepresented countries, from 10 in 2008 to 14 in 2013. Similarly, the number of countries that are overrepresented increased, from 18 in 2008 to 22 in 2013.

239. In addition to the system of desirable ranges, the Human Rights Council has requested in its resolutions, most recently resolution 22/2, information on the composition of the staff by regional group. In response, the High Commissioner provides annual reports to the Human Rights Council on the composition of staff by geographical regions. The reports highlight measures taken to achieve better geographical distribution.[69]

[69] See the most recent reports, A/HRC/25/66 and Corr.1 and A/HRC/22/18.

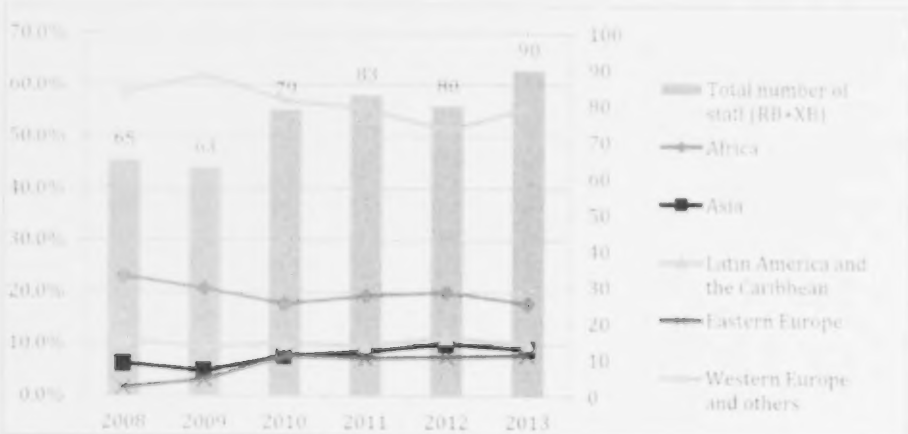
Figure 3: Office of the United Nations High Commissioner for Human Rights staffing: geographical distribution, Professional level and above (regular budget and extrabudgetary)



Source: A/HRC/27/38.

240. An increase in countries from two regions (Latin America and the Caribbean, and Eastern Europe) and a slight decrease in nationals from countries of the regional group with the highest representation (Western European and other States Group) can be observed (see fig. 3). Similar trends can be seen at the P-5 and above levels.

Figure 4: Office of the United Nations High Commissioner for Human Rights staffing: geographical distribution, P-5 and above (regular budget and extrabudgetary)



Source: Responses to JIU questionnaire.

241. As can be seen in figures 3 and 4, nationals from one region still represent about 50 per cent of total staff at the professional level, and more than 50 per cent of total staff at the P-5 level and above. This is despite the various measures

undertaken to improve geographical balance in line with the Office's action plan outlined in the 2006 report of the High Commissioner on the composition of the staff of the Office (E/CN.4/2006/103) and the report of the Secretary-General on the geographical distribution of the staff in OHCHR (A/65/264).

242. These measures included expanding the pool of qualified candidates from the widest possible range of countries and backgrounds, and developing outreach activities with UNCTs, OHCHR field offices, permanent missions, other United Nations entities and local partners in the field. The 2010 national competitive recruitment examinations, which included the human rights occupational group, yielded candidates from unrepresented and underrepresented Member States.

243. The Office noted that there is a competing obligation of the High Commissioner, under the compact with the Secretary-General, to increase recruitment from unrepresented and underrepresented Member States, which includes many Member States from the Western European and other States Group. This is a requirement under the General Assembly system of desirable ranges as well, so the requirement that OHCHR must comply with these higher-level demands has an impact on the ability to pursue separate and conflicting requests from a subsidiary body.

244. It should be noted that, in line with the requests made by the Human Rights Council, the information provided by the High Commissioner on the composition of the staff by regional group includes the representation of Member States in both geographical and non-geographical posts.[66] In contrast, the population subject to the system of desirable ranges is proportionally lower, with 2,901 Secretariat staff with geographical status pursuant to paragraph 66 of General Assembly resolution 65/247, as at 30 June 2014.[67]

245. The Inspector takes note of the efforts that have led to some positive results. However, more needs to be done. In accordance with the system of desirable ranges and the continued requests of the Human Rights Council for more balanced representation of staff by regional groups, the High Commissioner should make further efforts to achieve better geographical distribution of staff. The mandate of the High Commissioner is to promote and protect all human rights for all. The universality of the mandate calls for a universal workforce of the Office in line with applicable policies and systems set in place by the OHCHR governing bodies. Imbalances may carry a risk of, or may be perceived as, impeding or distorting the implementation of the universal mandate of OHCHR.

246. The statistics presented by the High Commissioner to the Human Rights Council at its twenty-seventh session reveal that, partly as a result of the priority attached by the High Commissioner to the need for greater geographical diversity in the Office, the percentage of representation for the three developing country regions increased from a low of 32.6 per cent in 2006 to a high of 45.7 per cent in 2012, while the share of the region with the highest representation (Western Europe and others) dropped from a high of 64.1 per cent in 2006 to 47.3 per cent in 2012 (A/HRC/27/18, para. 13 and table). However, the 2013 figures showed a reversal of that trend: the share of the three developing country regions went down to 42.8 per cent while that of the Western Europe and others region went up to 49 per cent. The Eastern European Group

[66] A/HRC/27/18, para. 8. As at 31 December 2013, OHCHR had a total of 579 staff members in the Professional category and above, of whom 503 are considered regular staff (ibid., para. 11).
[67] A/69/342, para. 36. See also A/69/292, footnote 20.

improved its situation from 3.3 per cent in 2006 to 7.5 per cent in 2011, 7.0 per cent in 2012 and 8.2 per cent in 2013 (ibid.).

247. Having reviewed the trends, **the Inspector reiterates the recommendations of the 2009 JIU report and calls upon the High Commissioner to continue to present to the Human Rights Council annual updates, both on the statistics on the composition of the staff in OHCHR, including their geographical distribution, and on measures taken by the High Commissioner to update the relevant action plan with targets and timetables and other specific actions.**

248. The High Commissioner should review the measures taken in the past six years, their achievements and major constraints and challenges. The action plan to improve balance in the geographical distribution of the staff[63] should be updated accordingly, through the establishment of specific measures, targets, timetables and indicators in respect of broadening the geographical diversity of the professional workforce.

249. Additional measures should be considered, such as engaging in outreach activities, training hiring managers, and setting targets and accountability yardsticks and related performance milestones as part of the performance management of hiring managers. Continued efforts should be made in using the young professionals programme and the Associate Expert Programme to attract candidates from unrepresented and underrepresented countries.

250. Increased use should be made of the HR Insight system as an information management, analysis and outreach tool. The High Commissioner should include improvement of the geographical distribution of staff, including implementation of the updated action plan, as an organizational management goal in the OMP, and report thereon. This goal should also be included as a performance goal in the High Commissioner's senior manager compact and in the annual performance assessments of hiring managers.

251. The implementation of the following recommendation is aimed at improving geographical distribution of staff at OHCHR.

Recommendation 4

The High Commissioner should update, by the end of 2015, the existing action plan with specific measures, targets and timetables to broaden the geographical diversity of the professional workforce, and continue to report annually to the Human Rights Council and to the General Assembly on its implementation.

B. Gender balance

252. Promoting gender balance is a fundamental component of the United Nations human resources management policy. The High Commissioner continues to pay special attention to the issue of gender balance among staff members at all levels.[64]

[63] E/CN.4/2006/103. See also A/63/204.

[64] A/HRC/27/18, para. 15.

These efforts have brought some success. As at 31 December 2013, women accounted for 54.1 per cent of all Professional level and above staff at OHCHR.[65]

Table 1: Gender distribution: Professional level and above (regular budget and extrabudgetary)

	2008		2009		2010		2011		2012		2013	
All Professional level and above staff												
Female	160	50.5%	181	52.2%	213	52.9%	240	54.1%	272	55.5%	314	54.1%
Male	157	49.5%	166	47.8%	190	47.1%	204	45.9%	218	44.5%	266	45.9%
P-5 and above												
Female	21	33.3%	22	34.9%	30	38.0%	31	37.3%	31	38.8%	30	33.3%
Male	42	66.7%	41	65.1%	49	62.0%	52	62.7%	49	61.3%	60	66.7%

Source: Information provided by OHCHR in response to JIU questionnaire.

Table 2: Gender distribution of new recruitment: Professional level and above (regular budget and extrabudgetary)

	2008		2009		2010		2011		2012		2013	
All Professional level and above staff												
Female	19	55.9%	24	58.5%	45	63.4%	38	63.3%	29	67.4%	22	59.5%
Male	15	44.1%	17	41.5%	26	36.6%	22	36.7%	14	32.6%	15	40.5%
P-5 and above												
Female	1	20.0%	2	33.3%	2	33.3%	1	33.3%	3	75.0%	0	0.0%
Male	4	80.0%	4	66.7%	4	66.7%	2	66.7%	1	25.0%	5	100.0%

Source: Information provided by OHCHR in response to JIU questionnaire.

253. At the P-5 level and above, women represented less than 40 per cent of staff as at 31 December 2013 (see table 1).[66] The gender distribution of new recruitments shows similar trends: women represented more than 50 per cent of all professional and higher staff level recruitment, whereas it remained low for the P-5 and above level, except for in 2012 (see table 2). The situation at OHCHR is better than in the Secretariat overall,[67] which is commendable.

254. The High Commissioner has set out a strategic plan to improve gender balance in OHCHR senior positions in the Gender Equality Strategic Plan (2014-2017). The target is an increase of the percentage of women in senior positions (P-5 to D-2) at Headquarters and in the field to about 44 to 45 per cent by 2017, through improvements of 5 per cent annually against the 2014 baseline of 37 per cent.[68]

255. **The Inspector concludes that the High Commissioner should continue work to achieve gender equality at OHCHR, in particular at the P-5 level and above. Performance against the targets set should be included in the High**

[65] Ibid. This is better than in the Secretariat, where women accounted for 39.9 per cent of staff at the professional level and above, as at the end of 2013. See also annex V.

[66] This is better than in the Secretariat, where women accounted for 29.9 per cent of staff at the P-5 level and above, as at the end of 2013. See also annex V.

[67] See annex V.

[68] OHCHR Gender Equality Strategic Plan (2014-2017), pp. 5 and 7-8.

Commissioner's senior manager's compact and as a performance management goal of the annual performance assessments of hiring managers.[69]

C. Career development and training

256. The Staff Development Unit is responsible for staff development and career support. Career development and training activities are guided by the OHCHR Learning Strategy, adopted following the 2009 comprehensive learning needs assessment, which complements the United Nations career development and training policies in place.[70] In-house training is provided to supplement the training offered centrally through the Staff Development and Learning Section in UNOG and United Nations Headquarters, as are online training programmes.

257. The Methodology, Education and Training Section is responsible for designing and delivering human rights training to both staff members and external partners. Following an OIOS audit, a policy on human rights methodology and training and a policy on OHCHR publications were adopted by the SMT and disseminated to staff in 2013. The Policy, Planning, Monitoring and Evaluation Service is implementing a capacity-building programme and RBM training for all staff working on planning and monitoring.

258. The funding for training at OHCHR, however, is limited. Training funds approved in the regular budget as a proportion of the approved regular budget amount to 0.2 per cent.[71] This falls below the desirable levels of annual training provisions of many other United Nations system organizations.[72] As per ST/SGB/2009/9, all staff members are encouraged to achieve a minimum target of five days for professional development per year. The Office has not been able to assess the target on the number of days used for learning activities since the existing recording system does not maintain this information. The Office is currently designing a new system to record the number of days of training used by each staff member.

259. Concerns have been raised about the lack of learning opportunities for staff in the field;[73] however, efforts have been made at the regional level. The JIU staff survey reveals that more than 34.0 per cent of staff members feel that the learning and development opportunities are not adapted to their career development needs (with 37.0 being of the opposite view).[74]

260. The Inspector emphasizes that training is important for enhancing the productivity of staff and the efficiency and effectiveness of the Office. For OHCHR to strengthen its position as the lead entity for human rights, technical human rights training is essential. Training priorities and possibilities should take into account the career development needs of the staff.

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[69] In line with benchmark 14 contained in the JIU report entitled "Staff recruitment in the United Nations system organizations: a comparative analysis and benchmarking framework — overview" (JIU/REP/2012/4).

[70] See ST/SGB/2009/9.

[71] Training funds approved in the regular budget, as a proportion of staff costs, amount to about 0.3 per cent; for details, please see annex VI.

[72] See, for example, the report of the Secretary-General entitled "Investing in the United Nations: for a stronger Organization worldwide" (A/60/692 and Corr.1), para. 25 (j).

[73] See also the OHCHR Management Plan 2014-2017, p. 107.

[74] See annex VIII for details.

261. Owing to financial constraints and limited resources, training should be provided through expanded peer learning activities, in-house training and webinars. **Considering the expenditure priorities and resourcing practices of other United Nations system organizations, the High Commissioner should allocate adequate financial resources for staff training and development. A system to record the number of training days by staff member should be put in place by the end of 2015. The Inspector encourages staff to undergo training, in accordance with** ST/SGB/2009/9.

D. Mobility

262. The Secretariat mobility policies apply to OHCHR. Following General Assembly resolution 67/255, the mobility regime for the Secretariat has been modified and the Office of Human Resources Management (OHRM) tasked to update the pertinent rules, regulations and policies accordingly. The new mobility policy will be implemented for the first job network, political and peacekeeping, in 2016, followed by the safety and security job network.

263. Many interviewees mentioned that OHCHR is exceptionally mobile, with considerable movement of staff between and within divisions at headquarters, between headquarters and the field, and to and from the human rights components. Staff members are encouraged to move within the Office so as to improve their understanding of different aspects of human rights work.

264. Many stressed that more needs to be done to implement the mobility policy effectively, fairly and transparently. Staff members in the field feel they are at a disadvantage when applying for positions at other duty stations, including headquarters. Depending on the contract type, the staff member's chances to apply for and be selected for a position at another duty station varies. Headquarters staff indicated that it is difficult for them to be reassigned to field duty stations, despite the rapid deployment and other rosters. Managers noted that they faced difficulties in filling positions in field operations, for rapid deployment missions, such as commissions of inquiry, and for special political and peacekeeping missions, despite funding being made available and the positions approved.

265. Many officials and managers mentioned that under the current rules, there is not much incentive for staff to leave headquarters and go to a field assignment. This is a structural problem of the Secretariat and not restricted to OHCHR; the new mobility policy is expected to address some of those concerns. Managers noted that implementation of the mobility policy may lead to situations where the most qualified and competent staff may not be interested in working at OHCHR. They noted that it might impact adversely on career development and the development of a sustainable and qualified workforce for OHCHR, and negatively affect staff morale. Despite the concerns raised, both staff and managers seem to agree on the importance of mobility.

266. The Inspector wishes to refer to General Assembly resolution 67/255, in which the Assembly welcomed the commitment of the Secretary-General to developing a staff mobility policy to ensure that the Organization was more capable of delivering on the diverse and complex mandates entrusted to it by Member States, with the overall objective of developing a global, dynamic and adaptable workforce. This is important for OHCHR against the backdrop of its global mandate and activities.

267. **The Inspector concludes that the High Commissioner should constitute a working group on human resources management to study, in consultation with OHRM, the implications of the implementation of the new mobility policy of the Secretariat at OHCHR, in the context of developing a comprehensive OHCHR human resources management strategy (see recommendation 5 below).**

E. Recruitment

268. Various concerns regarding recruitment were brought to the Inspector's attention, including: the length of the process; transparency and fairness; cumbersome rules and systems; limited capacity of hiring managers to cope with additional workload; and insufficient administrative support to the process. Recruitment of candidates through temporary vacancy announcements and recruitment of consultants, problems in rapidly deploying staff in emerging human rights situations, and greater delegation to OHCHR of authority on human resources-related questions, especially recruitment, were among other concerns raised. Most of the concerns have been reviewed in oversight reports and internal and external reform exercises,[75] most recently in the functional review and its task force on recruitment.[76] They were also the subject of discussions in the SMT and other senior management forums.

269. The Inspector takes note of the recommendation resulting from the functional review to set up a centralized support unit with the suggested terms of reference, as approved by the SMT in July 2014.[77] The terms of reference for the centralized support unit contain many suggestions, notably the need for better support to hiring managers, more recruitment-related training and a review of procedures, processes and documentation, including job descriptions, interview panels, written tests and reports.

270. As shown by the statistics presented by the functional review, the average time for recruitment, about 303 days in 2013, is far too long, against the target date of 120 days. Selection time averaged about 222 days in 2010,[78] and 241 days in the 2006-2008 period.[79]

271. The issue of the length of the recruitment process needs to be addressed with a sense of urgency by the management and staff as well as by OHRM.

272. A relatively high number of staff expressed concerns about the transparency and fairness of the recruitment process. These concerns were mirrored in the staff survey. About 48.5 per cent of staff respondents disagreed or fully disagreed with the statement that the recruitment process in OHCHR is fair and transparent, while only about 25.6 per cent agreed or fully agreed with that statement.[80] Many noted that those concerns have not been adequately addressed. As a result, staff morale and motivation are being affected adversely.

[75] See the report of Task Force VI on Human Resources, set up as a follow-up to the "OHCHR plan of action: protection and empowerment"; the report of OIOS on the audit of human resources management at OHCHR (A/64/201); and the report submitted to the SMT by the organizational effectiveness programme task force on recruitment.

[76] See the report and recommendations of the functional review task force on recruitment.

[77] SMT, minutes of the Senior Management Team retreat on the functional review (30 June and 1 July 2014); "OHCHR functional review: summary of findings and proposals".

[78] Report of the organizational effectiveness programme task force on recruitment, p. 3.

[79] A/64/201, para. 9.

[80] For details, see annex VIII.

273. Another problem raised was the high number of different contract types and or contractual arrangements for OHCHR staff, particularly in its field presences, leading to situations where staff members working on the same, or a similar, job in the same office have difficulties in being recruited on certain positions. While there are only three types of contract in the Secretariat, many staff members in OHCHR field presences have different contractual status and arrangements, including: international staff contracts; national officer contracts; UNDP contracts for human rights advisers; and DFS/DPKO/DPA contracts for human rights components in peacekeeping and special political missions. Depending on the contractual status and arrangements, the staff member's eligibility to apply for, and their chances of being selected for, a position at another duty station would vary.

274. As indicated to the Inspector by a number of staff members and managers, having certain contract types at times puts some staff at a disadvantage for certain recruitments. In some cases, as explained by some managers, the most qualified staff member may not be eligible for the recruitment/appointment or promotion because of the candidate's contractual status. This has, as explained, a negative impact on staff mobility and affects staff morale. The problem is significant at OHCHR, where about 42 per cent of staff works in field presences under those particular contractual arrangements. In the view of the Inspector, while recognizing that OHCHR is subject to the Secretariat policies and rules and regulations, the aforementioned issues should be looked at with a view to addressing some of the problems and shortcomings.

275. OHCHR manages various rosters, including a roster of temporary vacancy announcement candidates, a consultant roster and a rapid deployment roster. It is involved in the Human Rights Roster for Peace Missions, managed by the Human Resources Management Service in the Secretariat and by Programme Support and Management Services in OHCHR.

276. As pointed out in a 2012 JIU report (JIU/REP/2012/5, para. 124), roster management at most United Nations system organizations is mostly fragmented at department, unit and office levels without any policy guidance. Each establishes informal rosters including known consultants and, in most cases, including at OHCHR, the rosters are outdated. In their responses to the JIU staff survey, several staff members expressed concern that the rosters are poorly managed, and also expressed concern at ambiguities of the process and how the rosters are ineffectively used for making temporary appointments.[81]

277. In view of the concerns expressed, the Inspector concludes that OHCHR should comprehensively review the implementation of the Secretariat's human resources management policies at OHCHR. The review should take into account all human resources management issues and concerns contained in the preceding sections, as well as workforce needs and priorities. Such a review should also include workforce and workload analyses and forecasts, and take into account the required expertise and skills sets.

278. Changes of processes and procedures following the implementation of Umoja need to be considered. The demand on OCHCR to improve its surge and rapid deployment capacity[82] should be looked at, including the functioning of the rosters. The outcomes of the functional review, for example, the decision to establish a human

[81] The OHCHR rosters will be the subject of a planned audit by OIOS in 2014.

[82] See chap. IV.B above.

resources support unit, should be borne in mind. The need for managerial training to hiring managers should be included in the areas for review. Based on the review, a comprehensive OHCHR human resources management strategy and action plan should be developed, by no later than the end of 2016. The implementation of the strategy should be closely monitored through the existing accountability and performance management systems.

279. Clear actions, outcomes and results, with concomitant indicators and timetables, should be included in the strategy and the action plan for monitoring its implementation. They should also be included in the update of the OHCHR Management Plan 2014-2017. Relevant aspects of the implementation of the human resources strategy and action plan should be included in the performance management goals and assessment of hiring managers and senior management. The implementation of the strategy should be part of the 360-degree performance assessment of managers.

280. One concern brought to the attention of the Inspector pertained to the difficulties for persons with disabilities to access and use the existing recruitment system. In the view of the Inspector, **OHCHR, as the organization entrusted with the mandate to promote the human rights of persons with disabilities, should make special efforts to facilitate such access, and do more for mainstreaming the issue across the United Nations system, including by facilitating the recruitment of persons with disabilities into the workforce of OHCHR and other United Nations entities**. The question should be included in the review of the strategy.

281. The implementation of the recommendation below is aimed at improving human resources management at OHCHR.

Recommendation 5

The High Commissioner should develop, by no later than the end of 2016, a comprehensive strategy and related action plan to adapt to the specific circumstances and requirements of OHCHR the Secretariat's human resources management strategy and policies; he/she should inform the governing bodies of the adoption of the strategy and action plan, update them regularly as necessary, and report to the governing bodies periodically on their implementation.

VII. STAFF-MANAGEMENT RELATIONS

A. Staff-management relations

282. The Staff-Management Committee of the Secretariat provides the framework for staff representatives' participation in discussions of human resources management policies. In addition, a local OHCHR Staff Committee exists.

283. Within its broad mandate of facilitating consultation and communication between management, administration and staff, and ensuring representation of staff views on issues that concern them, the Staff Committee is active in several areas. It meets regularly with the High Commissioner and other senior managers to raise issues

of common interest. OHCHR staff members participate in the overall United Nations Staff Council activities.

284. The staff, management and Staff Committee representatives informed the Inspector that the staff-management mechanisms are generally working well. This was also reflected in the staff survey: about 30.7 per cent of respondents rated staff-management relations as good or very good, about 26.0 per cent poor or very poor, and about 37.3 per cent rated them as satisfactory, and about 6 per cent responded "I don't know".[55]

B. Results of the staff survey

285. In the context of the present review, the Inspector conducted a web-based staff survey containing 69 thematic questions covering a broad range of work-related issues. The survey contained one open-ended question, providing staff the opportunity to make qualitative assessments, comments and/or suggestions on any other work-related issue.

286. The survey was circulated to all staff, both at headquarters and field presences, 1,085 in total. 386 responses were received, which represents a response rate of 35.5 per cent.[56]

287. The overall conclusion drawn from the responses is that the majority of staff members appreciate the working conditions within their own unit/division, indicating that their work unit has a good atmosphere for teamwork and that they are treated with consideration and respect.[57] The majority are satisfied with the level of support provided by their supervisors and think that important management decisions are communicated through official channels. Views are divided on the question of working overtime: about one third of respondents indicated that they work overtime very frequently, while one third noted that they are able to complete their assignments within regular working hours always and only in very exceptional cases need to work overtime. More than 50 per cent are of the view that their unit does not have adequate resources to fulfil its mandate function.

288. Concerns were expressed by many staff members about senior managers' performance in the areas of compliance with standards of accountability; fostering a culture of integrity and ethical values; and encouraging open discussion. Many were concerned about the effective functioning of the organizational structure and cooperation and communication within different divisions, branches and units as well as between headquarters and field presences. Views were divided as to whether OHCHR is committed to undertaking necessary reform efforts, where slightly more than one third of respondents agreed or fully agreed, with about a quarter having the opposite viewpoint.

289. A similar divide was observed regarding the question whether the Secretariat policies, rules and regulations are suitable and adequate for the operation and functioning of the Office: one third of the respondents agreed that they were, and the

[55] See annex VIII for details.

[56] Of the responses, 60 per cent were from headquarters and 40 per cent from field presences; 15 responses (about 3.9 per cent) were received from human rights advisers.

[57] See also annex VIII, which contains all the staff survey questions referred to in the respective sections of the report.

rest disagreed. While the great majority of staff members are familiar with the concepts of RBM and its application at OHCHR, including with respect to their unit function, many respondents indicated that additional training and instructions would be useful.

290. A significant number of staff expressed concerns about the implementation of human resources policies at OHCHR relating to consistency and transparency. Other human resources concerns were raised in respect of equitable geographical distribution of staff, gender balance, mobility and learning and career development opportunities.

291. The Inspector considers staff members to be the core asset of OHCHR, as with every organization. While staff members are by and large satisfied with their work and motivated, various concerns have been voiced in the staff survey. Similar sets of issues and concerns have been voiced in other surveys and questionnaires, indicating a pattern of concerns and grievances among some staff; they feel that senior management has not devoted sufficient attention to addressing and ameliorating their grievances.

292. **The Inspector concludes that the results of the staff survey should be discussed in the appropriate setting among senior management, for instance in a SMT meeting dedicated to this subject, open also to staff representatives. The SMT should consider the concerns raised by staff, including those in respect of executive management and accountability. The results and outcome of the discussions should be shared with staff in an appropriate way.** Such action may improve staff management relations overall, the work atmosphere and staff morale and motivation.

293. **The Inspector further concludes, in line with the rationale and reasons provided above, that the High Commissioner should conduct staff surveys[56] every three years covering the major issues pertaining to staff, such as those relating to human resources management, values and ethics, equal treatment, transparency, fairness, (executive) management, accountability, communication and information-sharing.**

VIII. SUPPORT TO HUMAN RIGHTS MECHANISMS

294. The large number of official meetings and their duration, and the large volume of supporting documentation, have been of concern not only to several Member States, but also to many Secretariat officials, including those of the Office. The situation poses challenges to many delegations in respect of coordination, prioritization and preparation for meetings. Many Member States seem to lack adequate information on the related cost implications. Many of them identified the excessive length and volume of documentation as a potential area for improvement.

295. The number of meetings per year and the corresponding volume of documentation produced by OHCHR from 2009 to 2013 are illustrated in annex VII. There has been a steady increase in meeting days and documentation, following the establishment of the Human Rights Council and universal periodic review, and a corresponding increase in the services provided by the Office. The Office makes efforts to implement all Human Rights Council-mandated activities and to provide

[56] In appropriate consultation with staff representatives.

support to human rights mechanisms, namely, the Council, the Working Group on the Universal Periodic Review, special procedures mandate holders and treaty bodies. This has been possible through the use of extrabudgetary resources and frequent readjustment of work programmes. This affects the planning of activities established in annual workplans and renders the management of activities and resources unpredictable and complicated.

296. The Office extends support to a number of subsidiary mechanisms of the Human Rights Council, including the Human Rights Council Advisory Committee, the seven intergovernmental working groups and three forums. Member States also attend annual meetings of the Expert Mechanism on the Rights of Indigenous Peoples and the Working Group of Experts on People of African Descent. Consequently, except for December and January, the annual calendar of meetings is filled with meetings, almost every week, of the Human Rights Council, the Working Group on the Universal Periodic Review and the subsidiary bodies, challenging the capacity of the Secretariat, including OHCHR, UNOG conference services (interpretation, and the editing and translation of documents) and other services. The workload generated as a result of the establishment of intergovernmental working groups and forums is often not taken into account when considering the impact of new mandates for the Secretariat and Member States, particularly for small delegations, including for the management of OHCHR. The regular budget resources allocated for supporting the work of those working groups and forums are hardly adequate and are temporary in nature.

297. In respect of support to special procedures, in the early years, mandates were created with regular budget resources that no longer meet the needs of mandate holders, and OHCHR has had to draw additional resources from voluntary contributions to provide minimum staffing support. Some mandates created by the Human Rights Council were established without adequate regular budget resources, and in some cases, without any provision at all for staff support. The regular budget resources provided for consultancies and seminars under existing mandates have decreased in recent years, even where new mandates had adequate provisions included in PBIs. The Office seeks to compensate for the lack of regular budget staff by hiring staff on posts funded by extrabudgetary resources, where such resources are available, sometimes on a short-term basis. As a result, continuity and in-depth expertise cannot always be fostered and provided to all mandates to the extent required.

298. The higher visibility of the Human Rights Council has led to an exponential increase in the number of Council meetings, participants (including dignitaries), parallel events, informal consultations and mandated activities. The increasing workload generated by the Council, which holds meetings in three continuous three-hour sessions almost every day, largely unmatched by increases in staffing support, poses a serious challenge in providing efficient support.

299. The statistics provided by the Office and UNOG indicate that the number of meetings, attendance and participation by different stakeholders and associated documentation have shown a dramatic increase since the establishment of the Human Rights Council. The demands on the Office and UNOG have grown correspondingly. A few highlights are indicated below:

- The number of meetings went up from 62 in 1999 (the Commission on Human Rights) to 75 in 2007, 106 in 2010 and 127 in 2013.

- The average session time was 57 hours in 1999, 74 hours in 2009 and 122 hours in 2013.

- The number of panel discussions per session has increased from an average of 2 to 6 in the period before 2012 to 10 at the nineteenth session in 2012 and 9 at the twenty-fifth session in 2013.

- The number of resolutions adopted has risen steadily from 41 in 2006 to 103 in 2013.

- The number of requests for reports from the High Commissioner and the Secretary-General and for panel consultation summaries rose from 13 in 2006 to 37 in 2009 and 47 in 2012; in 2013 there were 44 such requests.

- The number of NGO delegations, national human rights institutions and other stakeholders participating in the Council sessions has also been increasing: from 407 NGO delegations in 2006 to 566 in 2010 and 637 in 2013; the number of statements made by such delegations has increased from an average of 276 in 2006 to 1,195 in 2012 and 1,266 in 2013.

- The average number of side events per week grew from 18.3 in 2009 to 26 in 2011, 28.5 in 2013 and 37.6 in 2014: the sixteenth session had 110, the nineteenth had 111, the twenty-second had 109, the twenty-fifth had 126 and the twenty-seventh had 142.

- The number of special procedures per year rose from 22 in 1999 to 51 in 2013; the special procedures have presented 1,313 reports: 1502 annual reports, 562 mission reports and 249 other reports, such as communications and studies) to the Human Rights Council and 234 reports to the General Assembly. The number of reports per year shows an increasing trend, except in a few years, from about 60 in 1999 to a peak of 180 in 2010; in 2013 there were 160.

- Rough estimates show that the volume of documentation for the Council showed a three-fold increase in the period from 2009 to 2012.

300. Many delegates indicated that they are faced with the challenge of handling a significant volume of documentation. They also noted that OHCHR has been making strenuous efforts to improve the quality of documentation and ensuring its timely availability.

301. The team undertook two surveys as part of the current review, one among special procedures mandate holders and the other among members of the treaty monitoring bodies. The survey was circulated to 172 treaty body experts and 75 special procedures mandate holders. A total of 48 responses were received, which amounts to a response rate of 19.4 per cent for both surveys.

302. Regrettably, the response rates of both the surveys were rather on the lower side. "Survey fatigue", referred to by some respondents in the staff survey, seems to have afflicted the recipients of these two surveys. In views of this limitation, it would not be appropriate to draw definitive conclusions from them, except as indicators of general trends. It should also be noted, given the low response rate, that mandate holders not satisfied with the support of OHCHR may have been more likely to respond, which thus may have affected the results and overall rate of satisfaction of respondents with the OHCHR support. The survey results and statistics presented should be considered in the light of this background and these limitations.

303. In general, the satisfaction of members of treaty monitoring bodies with the support provided by OHCHR seems to be higher than that expressed by special procedures mandate holders.[8] About 72.4 per cent of the members of treaty body monitoring bodies who responded are satisfied or very satisfied with the substantive support provided by OHCHR, and only about 6.9 per cent are dissatisfied. About 51.8 per cent of them did not feel that OHCHR staff members were attempting to influence their work and/or thinking, whereas 44.4 per cent felt the opposite.

304. In contrast, only 42.1 per cent of the special procedures mandate holders who responded are satisfied or very satisfied with the substantive support provided and 52.6 per cent are satisfied or very satisfied with the logistical support. About 31.2 per cent are dissatisfied with the substantive support and 26.3 per cent are dissatisfied with the logistical support. About 42.1 per cent disagreed that OHCHR brings to their attention developments within their mandates; 31.6 per cent disagreed that the Office was providing adequate support in dealing with communications; 33.3 per cent disagreed that it provides timely and effective support in providing information; and 57.8 per cent disagreed that the Office provides support in processing information.

305. Among the special procedures who responded, 31.6 per cent disagreed that the Office was providing effective and timely assistance in following up recommendations; 47.4 per cent disagreed that the Office facilitates integration and coordination of the work of their mandate with other parts of the Office; 52.6 per cent did not feel that staff members were attempting to influence their work and/or thinking, whereas 36.8 per cent felt the opposite; 38.9 per cent judged the staff support provided by OHCHR not to be adequate; and 15.8 per cent rated their working relationship with OHCHR as "poor".

306. The report of the High Commissioner on the strengthening of the human rights treaty bodies (A/66/860) was the culmination of a consultative process aimed at addressing challenges of chronic underresourcing, backlogs, insufficient harmonization of working methods and shortfalls in State party reporting rates. The intergovernmental process launched in December 2012 concluded with the adoption of General Assembly resolution 68/268 on 9 April 2014. The implementation of the resolution will result in a system which, when fully implemented, will benefit from more meeting time and additional human resources, while also generating funds to develop and implement a capacity-building programme. The full implications of the treaty body reform process can be judged only after 2015 when the treaty bodies would have completed a full cycle of the new calendar of meetings (all held in Geneva).

307. There remains the issue of the Office's capacity to provide adequate support for the Human Rights Council, the universal periodic review, special procedures and other human rights mechanisms. As shown above, the number of meetings and the volume of documentation have been increasing without a concomitant allocation of adequate resources.

308. The Human Rights Council carried out a full "review" of the special procedure mandates during the first year of its establishment and concluded that all existing (thematic) special procedures mandates should be continued; the later review of the Council included a full discussion of special procedures, which did not yield any intergovernmental agreement on "rationalization".

[8] See annex VIII for detailed responses.

309. Some Member States hold the view that the Member States have the sole prerogative of deciding on the nature and level of activities of the Human Rights Council and the support by the Office for those activities, that is, the number of meetings, the necessary documentation, the holding of panel discussions, including the number of panels and their subject matter, and the creation of mandates for new special procedures. Without detracting from the prerogative of Member States, it is important to assert that those decisions have implications for the functioning of the Office and its management and administration, its ability to provide delegations with satisfactory service with timely availability of documentation, the allocation of resources, the organization and conduct of fact-finding missions and commissions of inquiry, as mandated by the Human Rights Council and/or the Security Council, and related activities. It would be unfortunate if no attention were to be paid to the capacity of the Office, while the Council and/or any other intergovernmental body continues to make decisions mandating fresh activities. Many within the Office and elsewhere in the Secretariat have echoed quite strongly that there is an acute need for extinguishing old mandates and rationalizing the existing ones.

310. OHCHR noted that it has, in the past few years, increased its efforts to engage with Member States generally and in particular with the main sponsors of draft proposals containing new mandates. It has become a practice for the sponsors to seek advice from OHCHR on the financial implications of draft resolutions in line with the relevant decision made following the review of the Human Rights Council's work and functioning. The efforts have demonstrated difficulties inherent in the intergovernmental process, which may not necessarily be unique to the Human Rights Council.

311. **The Inspector concludes that the Office should make further efforts to assist Member States in clarifying the implications of new requests and mandates for the programme of work. The Office should advise on potential overlap and duplication of mandates, including for new mandates, possibilities for streamlining and, as appropriate, the discontinuation of mandates that have become obsolete.**

312. **The High Commissioner should initiate, by the end of 2016, a review of the calendar of meetings, the programme of work and accompanying documentation, with a view to achieving further rationalization. The High Commissioner may task a senior management team to identify elements to be replicated from the treaty body reform exercise to rationalize meetings and documentation. Following this exercise, the High Commissioner should assist and support the Bureau of the Human Rights Council in pursuing such a review. Member States need to work together with the active support of the Office to that end. Good examples and lessons learned may be drawn from the recent treaty body strengthening process, taking appropriately into consideration differences between the treaty body system and the Human Rights Council.**

313. The need to improve the linkages between headquarters and the field should be taken into account, as highlighted in the OHCHR management plan. There is a need to improve the linkages between the support provided to human rights mechanisms and other areas of work within OHCHR.[88] Similar observations were made by numerous interviewees.

[88] OHCHR Management Plan 2014-2017, p. 104.

314. Other possible improvements in the Office's support to the Human Rights Council, universal periodic review and human rights mechanisms should be pursued, such as: introducing an online accreditation system; implementing the organization-wide paperless policy in meetings of the Human Rights Council and the Working Group on the Universal Periodic Review; and ensuring the webcasting of Council and Working Group meetings through assured funding.[89]

315. The Office has made numerous requests for increases in regular budget resources to reduce the need for special procedures mandate holders to seek assistance that is often indispensable for them to be able to carry out even their core mandated activities. It is important that regular budget resources are increased to cover at least all core mandated activities adequately.

316. The risk of potential conflict of interest of special procedures mandate holders arises in cases where special procedures receive or raise funds from third parties, for instance, NGOs, universities, foundations and academic institutions, for their mandate. The receipt of funds from a third party is often not reported to either the Human Rights Council and/or any other legislative body. Such practices raise concerns regarding the independence of the special procedures mandate holders and their function. Even if, in most cases, such practice may only create a perception of (potential) conflict of interest, it should be addressed, since perceptions could damage the independence of the mandate holder and his or her function. The fact that the Coordination Committee of Special Procedures receives such information may not be sufficient to assuage concerns. Closely related to this phenomenon is the perception of uneven and inequitable funding of mandates, with those with access to funds having an unfair advantage over those who do not.

317. In its financial report and audited financial statements for the biennium ended 31 December 2011, the Board of Auditors observed that mandate holders were not required to disclose support received from other sources, and that earmarked contributions could unduly privilege some mandates over others, potentially having an impact on their perceived independence. It recommended that OHCHR (a) in collaboration with the Office of Programme Planning, Budget and Accounts, seek ways to reduce the reliance of mandate holders on extrabudgetary funding and other forms of earmarked or unearmarked support, (b) seek ways in which to demonstrate more robustly that mandated activities regarding special procedures are undertaken independently, are of equal importance and are not unduly influenced by the source of funds; and (c) in the interest of transparency, propose to the Human Rights Council that mandate holders be required to disclose all sources of funding and any conditions attached to them.[90]

318. Furthermore, the General Assembly underscored in its resolution 65/281 on the review of the functioning of the Human Rights Council (para. 34) the need for full transparency in the funding of the special procedures.

[89] In view of the precarious state of extrabudgetary funds for maintaining the webcasting of the meetings of the Human Rights Council and Working Group on the Universal Periodic Review, the Council, in its decision 22/115 of 15 April 2013, recommended that the General Assembly consider ways to ensure sustainable live webcasting and subsequent storage of Council meetings held in the framework of the sessions of the Council and of the Working Group on the Universal Periodic Review. However, the General Assembly, in the very final stage of negotiations, did not include in its resolution on the programme budget a paragraph to approve related resources.

[90] A/67/5 (Vol. I), paras. 68-70.

319. **The Inspector concludes that the Office should initiate steps to require mandate holders, effective from 2015, to make full disclosure to the Human Rights Council of all forms of support, including funding and any conditions attached to them, that they receive from sources other than the Office, in order to increase transparency and independence and to dispel misgivings.**

320. **The Inspector further concludes that the Office should assist special procedures mandate holders in setting up policies, procedures and mechanisms that address risks of potential conflict of interest that could be perceived as having an adverse impact on their independence and/or integrity, and to promote greater transparency. It could do so by advising and providing support to the coordination committee and/or as suggested by Member States.**

321. Geneva-based NGOs working on human rights-related issues expressed overall satisfaction on their working relations with, and the support provided by, the Office. The Civil Society Section set up in 2005 provides support in many areas: information and documentation; liaison; meeting support; and NGO submissions. NGOs/civil society organizations are in direct communication with the Office, including through informal dialogue and meetings with OHCHR, as needed. Some suggested that OHCHR could provide more support and have closer engagement with such organizations in the field.

322. Concern was expressed that the OHCHR website is difficult to navigate and not user-friendly.

323. The accessibility of persons with disabilities as regards attending meetings and access to documentation was another issue. The General Assembly, in its resolution 65/281 of 17 June 2011 (para. 58), recognized the need to enhance accessibility for persons with disabilities to the Human Rights Council and the work of its mechanisms, including its information and communications technology, Internet resources and documents, in accordance with international standards on accessibility for persons with disabilities.

324. Financed through a voluntary contribution, OHCHR has made accessible to persons with disabilities one panel of the Human Rights Council per session (twenty-first-twenty-fourth sessions), as well as the annual discussion on the rights of persons with disabilities, by providing sign language interpretation, real-time captioning and webcasting, in addition to supporting an NGO representative with disabilities to participate. OHCHR has produced easy-to-read versions of summaries of the panel discussions, and recently published an accessibility guide to the Human Rights Council in accessible formats. Through those initiatives and with the support of the Council task force on secretariat services, accessibility for persons with disabilities and the use of information technology, OHCHR obtained increased support from UNOG to expand the provision of accessible services to persons with disabilities participating not only in meetings of the Council, but also in other international meetings and events taking place in Geneva.

325. **The Inspector concludes that OHCHR should do more to facilitate the participation of persons with disabilities in meetings of the Council and other meetings, such as those of the treaty bodies and the universal periodic review. Although this applies to all organizations, OHCHR, as the organization entrusted with the mandate to promote the human rights of persons with disabilities,**

should make special efforts to facilitate such access, and do more in respect of mainstreaming the issue across the United Nations system.

326. **Member States should make available their documentation in formats easily accessible for persons with disabilities.**

327. **The Human Rights Council task force on accessibility should look into those issues, including the related cost and resources implications.**

IX. MAINSTREAMING HUMAN RIGHTS ACROSS AND IMPROVING COOPERATION WITHIN THE UNITED NATIONS SYSTEM

328. OHCHR leads in many human rights mainstreaming mechanisms, frameworks and initiatives. Cooperation and coordination with other organizations of the United Nations system takes place at the headquarters, regional and field levels.

329. OHCHR works to integrate human rights across the six main work areas of the organization: peace and security, development, economic and social issues, humanitarian affairs, gender and the rule of law. The Office contributes to thematic inter-agency networks and programmes: the United Nations Development Group (UNDG), the Executive Committee on Peace and Security, the Executive Committee on Humanitarian Affairs, the Executive Committee on Economic and Social Affairs, the United Nations network on racial discrimination and protection of minorities; the United Nations Indigenous Peoples' Partnership; the High-level Task Force on the Global Food Security Crisis; the inter-agency Global Migration Group; and the inter-agency Security Sector Reform Task Force. OHCHR also works to mainstream human rights in numerous thematic areas, including disability, business, water, housing and land.

330. OHCHR chairs the UNDG human rights mainstreaming mechanism. OHCHR also participates in United Nations coordinating mechanisms such as the Rule of Law Coordination and Resource Group, the Counter-Terrorism Implementation Task Force and the Global Focal Point for the Police, Justice and Corrections. OHCHR has been engaged in humanitarian action through the Inter-Agency Standing Committee and, in the field, through the Global Protection Cluster.

331. OHCHR works with its partners to strengthen system-wide coherence on human rights and gender issues through, inter alia, the post-2015, Beijing+20 and International Conference on Population and Development beyond 2014 review processes. As a member of the Inter-Agency Network on Women and Gender Equality, OHCHR collaborates closely with other United Nations agencies to ensure that human rights and gender issues are mainstreamed in its work.

332. OHCHR works closely with peacekeeping and special political missions through the deployment of human rights components. Resolutions by which the Security Council establishes peacekeeping missions now systematically include a human rights mandate. OHCHR engages in the planning, staffing and support for such missions. Human rights components have become a standard feature of peacekeeping and special political missions. The OHCHR contribution to peacekeeping missions, through the due diligence and pre-screening policies for mission personnel, was

greatly appreciated, also as an example for successful cooperation between OHCHR and DPKO, DPA and DFS.

333. OHCHR supports a rights-based approach and the mainstreaming of human rights at the country level through human rights advisers, deployed to support Resident Coordinator offices and United Nations country teams, based on their requests. The main focus of the work of human rights advisers is to advise the Resident Coordinator and work closely with the UNCT on capacity-building and human rights mainstreaming.[91]

334. In 2013, the Secretary-General launched the Rights Up Front Action Plan,[92] aimed at enhancing the prevention and response efforts in situations where people are at risk of, or are subject to, serious violations of international human rights law. The Action Plan further mainstreams human rights in the United Nations processes, including in newly established early warning and crisis response mechanisms. OHCHR is assigned specific actions in the Action Plan.

335. The OHCHR Rights Up Front Task Force developed a proposal on OHCHR requirements for implementing the Action Plan, to be submitted to interested donors; the Programme and Budget Review Board recommended approval of the proposal in May 2014 for fundraising purposes.[93]

336. The role and function of OHCHR in the context of mainstreaming human rights and promoting a rights-based approach across the United Nations system have been the subject of discussions and decisions in the functional review and at the 2014 SMT retreat.

337. Cooperation and coordination of OHCHR with other United Nations system entities, both at headquarters, i.e. the Secretariat (for example DPA, DPKO, the Special Representative of the Secretary-General for Children and Armed Conflict, OCHA), at the regional level (Regional Directors' Teams, regional coordination mechanisms, UNDG-Latin America and the Caribbean), and at the country level (UNCTs, Resident Coordinator offices), were considered by interviewees in general to be effective and adequate. Expectations are that the Secretary-General's Human Rights Up Front initiative and the UNDG human rights mainstreaming mechanism will enhance cooperation and coordination and mainstreaming of human rights across the system.

338. Achieving effective cooperation, coordination and information-sharing between OHCHR and other Secretariat departments and offices remains a challenge. It may be useful to more effectively merge and consolidate all human rights-related information collected through different human rights activities, mechanisms and instruments at OHCHR (the universal periodic review, treaty bodies and special procedures, among

[91] UNDG strategy for the deployment of human rights advisers, January 2012, p. 4. Some human rights advisers were deployed in response to specific human rights situations (for example, post-conflict or disaster situations, reconciliation processes) and a few others encountered crisis situations during their deployment and were required to provide advice and support to Resident Coordinators and UNCTs, acting as a liaison with OHCHR headquarters and regional offices.

[92] The Rights Up Front Action Plan is the outcome document of the process led by the Deputy Secretary-General that followed the release of the report by the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka in November 2012.

[93] Minutes of the Programme and Budget Review, Meeting No. 3, 8 May 2014. At the time of the review, two donors had expressed interest in providing funding for the implementation of the proposals.

others) as well as that collected through other entities, for example DPKO and the Special Representative of the Secretary-General for Children and Armed Conflict. It was noted by some interviewees that there is considerable duplication and overlap between mandates of the Office and those of some others, such as Special Representatives of the Secretary-General, UNICEF, the United Nations Population Fund (UNFPA) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

339. With regard to possible duplication and overlap, a well-known story, most likely apocryphal, referred to by some interviewees, deserves recounting. This refers to the case of a minor girl, a reported rape victim, in a peacekeeping mission. The alleged victim is interviewed serially by several Secretariat entities — OHCHR, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Special Adviser of the Secretary-General on the Prevention of Genocide, UN-Women, among others — each in an effort to assert its own mandate and locus standi and to project its activism in the media and among activists, without adequate consideration for the feelings and or condition of the alleged victim.

340. Another example of possible duplication and overlap is the United Nations entities' work related to children's rights. In accordance with the respective resolutions, mechanisms in this area are set up at headquarters level for OHCHR, for UNICEF and for other United Nations entities, such as UNFPA and UNHCR, and there are two Special Representatives of the Secretary-General with mandates on children's rights, and at field levels there are additional structures. This illustrates the complications and challenges for cooperation and synergies; at the same time, cooperation by OHCHR with UNICEF and the two Special Representatives works well overall.

341. The Inspector concludes that, while overall there is adequate cooperation, and synergies rather than duplication, there is room to further streamline and consolidate the work, activities and mandates of United Nations entities on human rights issues in related areas. The Human Rights Up Front initiative provides a good opportunity for reviewing the mandates, activities and work of the different entities with human rights mandates with a view to streamlining their work and fostering synergies. The results of the review should be shared with Member States for consideration.

342. The implementation of the recommendation below is aimed at streamlining the human rights-related work and enhancing synergies within the United Nations system.

Recommendation 6

The Secretary-General should, in the context of the Human Rights Up Front initiative, review, in consultation with the United Nations System Chief Executives Board for Coordination as appropriate, the mandates, activities and work of different entities with human rights mandates with a view to streamlining their work, mainstreaming human rights across the United Nations system and enhancing synergies. The results of the review should be submitted, along with the Secretary-General's own recommendations, to the General Assembly for consideration at its seventy-first session.

X. OVERSIGHT

A. Oversight framework

343. OHCHR, as a department of the Secretariat, is subject to United Nations internal and external oversight bodies – OIOS, the Board of Auditors and JIU – which provide an extensive oversight framework for the Secretariat. The Office maintains that through the Independent Audit Advisory Committee and other mechanisms, such as the biannual tripartite meetings among the three oversight entities, there is adequate, effective and coordinated oversight coverage of the Office.

344. For follow-up on and implementation of oversight recommendations, all senior managers of OHCHR are provided with the oversight reports, and contribute to the follow-up reporting on recommendations. In addition, compilations of the most important oversight recommendations, generated throughout the Secretariat, are regularly circulated from United Nations Headquarters to provide managers across the Organization with this important information for their use.

345. In its 2002 report on the management review of OHCHR, OIOS had recommended that the OHCHR management should review, prioritize and systematize all outstanding recommendations, and that responsibilities and deadlines for action should be assigned and a mechanism for ensuring their implementation established (A/57/488, para. 65).

346. Similar concerns have been voiced by some interviewees. As seen above, various management issues and concerns have been addressed many times in different internal and external oversight reports, with several of them, such as the question of the "right" organizational structure, field presences, cross-Office coordination, cooperation and communication and partnerships, still on the agenda of the functional review.

347. OHCHR has indicated that progress has been made in addressing the concerns raised in the aforementioned OIOS report and that OHCHR, at the time of the present review, has no outstanding critical recommendations and only six important outstanding recommendations with OIOS.

348. In view of the importance of effective and sustained follow-up on recommendations by oversight bodies, the Inspector concludes that **OHCHR, building on the progress made, should continue to improve its efforts and ensure sustained follow-up of the implementation of oversight recommendations.**

B. Member States' oversight role

349. As extensively outlined in chapter II, some issues related to the oversight of OHCHR by Member States have been identified.

350. As indicated in a previous JIU report:[99]

> "Member States have the responsibility for oversight in the organizations of the United Nations system and delegate some authority for oversight to the secretariats of the organizations and some to the external oversight bodies.

[99] JIU/REP/2006/2, paras. 4-6.

> Oversight is an integral part of the system of governance established by Member States within the United Nations system to provide them with assurance that:
>
> - The activities of the organizations are fully in accordance with legislative mandates;
> - The funds provided to the organizations are fully accounted for;
> - The activities of the organizations are conducted in the most efficient and effective manner;
> - The staff and all other officials of the organizations adhere to the highest standards of professionalism, integrity and ethics.
>
> In addition, the Charter of the United Nations provides for system-wide oversight — mainly by the Economic and Social Council and the General Assembly — with a view to avoiding programmatic overlap and duplication and the concomitant waste of resources.
>
> Member States have to balance their need for assurance with the costs of providing such assurance. The higher the level of assurance, the greater the cost. Reasonable assurance is generally considered to be the goal of oversight functions, with reasonableness defined by reference to a risk assessment conducted for each organization. On this basis, Member States can determine the level of assurance that they wish to obtain as a result of the activities of the oversight bodies, which in turn would enable them to fulfil their oversight responsibilities. Member States must be aware of the need to maintain the appropriate balance between external and internal oversight mechanisms in order to discharge their own oversight functions effectively."

351. **The Inspector, concurring with and reiterating the aforementioned statements, wishes to refer to the issues identified and the suggestions/recommendations made in relation to Member States' oversight role on OHCHR as outlined in the relevant chapters.**

XI. OTHER ISSUES

A. Information and communications technology

352. OHCHR is governed by centralized information and communications technology (ICT) strategies and policies, under the Office of Information and Communications Technology, which focus heavily on information technology security and business continuity. The ICT function and services of OHCHR are guided by the OHCHR ICT strategy, last updated in September 2011. OHCHR has an ICT committee,[39] which endorses policies and directions on ICT matters. The Information Management and Technology Section (IMTS) provides ICT services and manages ICT systems for the Office. Some field presences have a separate ICT function. External partners, including UNDP, provide information technology and administrative support to many of the OHCH field presences. The IMTS function also includes information technology risk management, including information technology security.

[39] In accordance with the requirement that each department of the Secretariat have its own ICT committee (ST/SGB/2003/17).

353. Staff members indicated that they were generally satisfied with the ICT services and systems. Some suggested that OHCHR could strengthen some ICT systems and operations. It was proposed that a system for effective drafting, clearance routing and filing of official documents could be set up, which would help expedite the clearing of memos within the Office. Some administrative processes, such as leave/travel requests and registrations for training could be done electronically.

354. Several staff members mentioned that adequate resources have not been allocated to information technology issues, and that ICT systems and computer equipment are outdated, making it difficult to work effectively. IMTS should have greater client orientation to support staff in headquarters and in the field. The Office does not use the latest technologies to improve databases to facilitate the carrying out of human rights investigations, monitoring and fact-finding. Despite the fact that the core competence of OHCHR relies on information gathering in the field, the management systems were considered weak: generic human rights databases are not maintained in all field presences; systems are developed independently by each division, branch or section; there is limited information-sharing across divisions; there is no centralized system for searching for information about a specific country; and, no system to make available from a central point all information about the human rights situation in a particular country.

355. It was noted that OHCHR, an organization that relies on advocacy for human rights issues, must have an effective communication policy, as well as effective ICT systems and tools, including a functional, easy-to-use website. Some stakeholders interviewed referred to the website as outdated and not user-friendly, and commented that information was not easily accessible.

356. **The Inspector concludes, in view of the comments made by staff members and stakeholders, and also in line with previous JIU recommendations, that the High Commissioner should update, by the end of 2016, the Office's ICT strategy, which has not been done since September 2011. The key ICT priorities and needs should be identified together with the possible additional resource requirements.**

B. Information-sharing and knowledge management

357. Following an office-wide needs assessment in 2009, a strategy and detailed workplan on knowledge management were developed, and subsequently endorsed by SMT and the Programme and Budget Review Board in 2010 for implementation in the biennium 2010-2011. Pending the identification of adequate funding, some initial work was done. The 2012 OIOS audit of OHCHR arrangements for the development of methodologies and training for human rights activities highlighted the need for dedicated resources to ensure knowledge-sharing systems and to implement the agreed strategy.

358. In practice, knowledge-sharing is done in various ways. The PMS has de facto become a knowledge management tool, as it contains all planning, monitoring and reporting documents. The intranet is another platform available for sharing information and knowledge internally. Other knowledge management-related activities include weekly meetings of field presences with their respective desks and ongoing contact with their desk officers, annual consultations of heads of field presences, and lessons-learned exercises conducted by the Policy, Planning,

Monitoring and Evaluation Service based on inputs from other parts of the Office which are compiled and made available to all staff on the intranet.

359. Despite the progress made, there are still shortcomings. Interviewees indicated that bringing together all information gathered in context of the universal periodic review, special procedures, the Human Rights Council, the treaty body system and work done by the Research and Right to Development Division remains a challenge. Although all information is available in different places, the big picture is missing, information about the human rights situation in a State is not available in a consolidated and usable way, in real time, but only on an ad hoc basis when required for briefings of the Secretary-General or the High Commissioner or on the eve of high-level visits or meetings. Another problem is accessibility to the intranet for staff working in field presences.

360. **In view of the existing challenges and the importance of effective knowledge management and systems, the Inspector recommends that the High Commissioner establish, by the end of 2016, a comprehensive strategy and action plan for information-sharing and knowledge management, including through the various actions outlined in the OHCHR Management Plan 2014-2017, taking into account the recommendations made by various oversight bodies, including JIU, and report periodically to the governing bodies on its implementation.**

C. Provision of support services by the United Nations Office at Geneva, the Executive Office of the Office of Legal Affairs and the United Nations Development Programme

361. OHCHR has contractual arrangements with different entities for the provision of administrative support services, namely, with UNOG for the Geneva headquarters, with the Executive Office of the Office of Legal Affairs for the New York office, and with UNDP and/or UNDG Development Operations Coordination Office for field presences (under the global memorandum of understanding between the Secretariat and UNDP for provision of administrative support services).[76] Some field presences have agreements with their respective partners, such as the Economic and Social Commission for Asia and the Pacific in the case of Bangkok offices. Human rights components in peacekeeping and special political missions are an integral part of DPKO, DPA and DFS.

362. UNOG provides services to OHCHR in Geneva as the local administration for the Secretariat, just as the Department of Management supports other departments in New York. This is a core function of UNOG under the regular budget and is organized accordingly. OHCHR has a local agreement with UNOG for similar services for the extrabudgetary component. OHCHR reimburses UNOG annually for the "extrabudgetary" services provided to OHCHR. Similar arrangements apply to OHCHR presences in the regional commissions.

363. OHCHR indicated that, overall, it is satisfied with the administrative arrangements and services provided by its respective partners. This is also reflected in

[76] This arrangement provides for reimbursement in accordance with the established universal price lists for UNDP country offices. In some cases, separate service level agreements are signed for additional services (such as information technology support) that fall outside of the provisions of the universal price lists.

the staff survey results. More than half of the respondents are satisfied with the quality of the operational and administrative support services provided.

364. Field staff mentioned that service deliveries are at times slow, and that the fees, including transaction fees and costs, are rather high in cases of low-value services, which makes the processes costly and cumbersome; there is room for improving the efficiency of these processes.

365. The service providers follow different administrative rules, policies and processes, as well as different accounting codes and financial systems. UNDP has its administrative and financial rules and budget codes, and uses a particular enterprise resource planning system (Atlas). In some country offices, the MAYA system is used, while at OHCHR headquarters the Secretariat system (IMIS) is used. This at times poses challenges for administration and financial management and monitoring in the field presences. It would be useful to simplify the processes in the field as much as possible and to harmonize the systems and procedures. The fact that country offices and other field presences are supported by UNDP, have UNDP staff, and use UNDP accounting codes, systems and procurement rules should be taken into account when introducing Umoja in OHCHR.

366. **The Inspector concludes that OHCHR should update its field manual and related standard operating procedures to address the aforementioned issues, by no later than the end of 2016.**

367. Procurement in OHCHR is guided by the delegation of authority for low-value procurement, the Financial Regulations and Rules and the Secretariat's Procurement Manual. The OHCHR procurement guidelines of 2011 reflected updated timelines from the UNOG Purchase and Transportation Section as well as the changes in the authorized low-value procurement amount from US$ 2,500 to US$ 4,000. OHCHR does not have delegation of procurement authority for local procurement; such procurement is carried out by the local service providers, such as UNDP, or the regional commissions, as applicable.

368. Staff members seem satisfied with the procurement services provided. It was noted that greater flexibility in the authorized low-value procurement amount (US$ 4,000) would be useful.

D. Administration of justice, the Ethics Office and the Office of the Ombudsman

369. The internal administration of justice of the Secretariat applies to OHCHR, which is subject to the Secretariat's Ethics Office and ombudsman function and services. Similarly, the Secretariat policy on the protection of whistle-blowers applies to OHCHR.

370. Interviewees indicated that the Office of the Ombudsman has been very supportive of OHCHR, both staff and management, and has contributed to the resolution of several issues. OHCHR involvement with the Ethics Office has been mainly in relation to the provision of training in ethics issues and to participation in the United Nations financial disclosure programme.

371. No particular issues as to the functioning of the administration of justice, the Office of the Ombudsman or the Ethics Office were identified at OHCHR during the

review. The Inspector wishes to reiterate the importance of an effective ethics function and conflict of interest policy, which "significantly contributes to enhancing an organizational culture of ethics and integrity, and promoting public trust in the United Nations. It supports accountability and promotes workplace respect, stewardship, transparency and integrity."[97]

XII. CONCLUDING OBSERVATIONS

372. The assumption of office by the new High Commissioner offers an opportunity for the High Commissioner himself, along with Member States and the Office, to reflect collectively on the long-term challenges facing the Office.

373. The current model of OHCHR field presences and their functioning that has long-term implications, including sustainability, credibility and predictability, deserves serious consideration.

374. It would be legitimate to consider whether the current business model of field presences is optimal for fulfilling the mandate of "all human rights for all", or whether an alternative business model should be contemplated. The current system seems to privilege those Member States in which there are field presences, and to disadvantage those in which they do not exist. The strengthening of regional capacities and the creation of regional hubs may partly remedy the situation. Of equal importance is building strengthening the capacity at headquarters and regional hubs for global monitoring of the situation of human rights in individual countries. The strengthening of national capacities in all Member States should be the paramount objective.

375. The financial sustainability of OHCHR is of serious concern, characterized by the lack of adequate regular budget resources and excessive dependence on voluntary contributions. Despite the doubling of regular budget resources in response to the call at the 2005 Summit to strengthen the human rights machinery, the budget has not kept pace with the growth and increasing complexity of new mandates given to OHCHR. Progress towards sustainable funding, which is key, can be achieved through continuous efforts to prioritize activities, to broaden the donor base and above all, to secure a more balanced distribution of resources from the regular budget.

376. The demands on OHCHR have been expanding, in connection with activities mandated by the Human Rights Council and other legislative bodies and with new initiatives, such as Human Rights Up Front, the mainstreaming of human rights across the system and the likely emphasis on human rights in the post-2015 development agenda. There exists a strong case for substantially increasing regular budget resources for OHCHR; in turn, this would warrant greater accountability and oversight. A desirable objective would be the doubling of regular budget resources over the next five years, namely, by 2020. At the same time, such action should be accompanied by more effective utilization of, and greater prioritization of the allocation of, resources; a streamlining of structures and business processes; robust monitoring and reporting; and, more effective oversight, both internally and by Member States.

[97] A/68/348, para. 78.

377. The new High Commissioner has advocated the integration of a strong human rights component in developing the post-2015 agenda and formulating the sustainable development goals. If Member States heed this call, the Office will have a greater role to play, the concomitant challenge of making the Office "fit for purpose" will be formidable. The prospects for resource mobilization are likely to expand as a result. At the same time, the Office will have to become more operational: it will need to identify more opportunities for resource mobilization, develop the necessary skill sets and impart necessary training for headquarters and field presences.

378. There is no need to persist with the polarized views about the Office; it should be possible, with goodwill on all sides, to work together and forge a common vision. An attempt should be made to use "lessons learned" from the treaty body reform exercise to replicate the exercise for application to the work of the Human Rights Council and the rationalization of mandated activities. A vision of OHCHR fully shared by all Member States would not only promote collective ownership of the Office, but also foster an environment for more vigorous promotion and protection of all human rights for all universally.

Annex I: Follow-up on previous Joint Inspection Unit recommendations related to equitable geographical distribution of staff

Follow-up on previous Joint Inspection Unit recommendations related to equitable geographical distribution of staff

(1) JIU/REP/2003/6 – Recommendation 7

The Office should compile annually a list of those countries which are either unrepresented or underrepresented within the Office, and the Secretariat should take that list into consideration when organizing specialized competitive human rights examinations.

Follow-up included in JIU/REP/2006/3

"The Inspectors consider that this recommendation is 'work in progress'. It is suggested that the list of countries, which are either unrepresented or underrepresented within the Office, be updated annually and submitted to [the Office of Human Resources Management] (OHRM) so that it may be taken into consideration when programming future [national competitive examinations] (NCEs) and used to follow progress."

The report also stated that the NCE had not helped to redress the geographical imbalance issue.

Follow-up included in JIU/REP/2009/2

"The Inspector has been informed by the OHCHR secretariat that, subsequent to the JIU recommendation, it compiles a list of those countries which are either unrepresented or underrepresented within the Office, and they do take that list into consideration when recruiting under the NCE process."[a]

"While the NCE recruitment may not have helped improve the situation in 2006, the Inspector notes with satisfaction that a human rights NCE was held in February 2008 and OHRM focused on inviting participation in the examination from those countries in regions deemed to require improved representation in OHCHR. Of the 49 Member States invited to participate, 41 responded with applications and a total of 236 candidates sat the examination. The actual impact of this process on geographical distribution can be only determined after OHRM releases the list of successful candidates in 2009."

[a] Please see also the related management responses (A/61/115/Add.1; A/62/845/Add.1 and A/64/94/Add.1) for further details.

Assessment

The Inspector notes the efforts made by OHCHR to recruit candidates from unrepresented and underrepresented countries through the NCE (now the young professionals programme, YPP) and through the mechanism envisioned in General Assembly resolution 61/159. In accordance with resolution 61/159, OHCHR has proceeded with a temporary mechanism whereby its recruitment of staff at the P-2 level is not restricted to successful candidates from the NCE. The 2010 national competitive recruitment examination included the human rights occupational group, which yielded candidates from unrepresented and underrepresented Member States. OHCHR requested OHRM to hold another round of YPP examinations for human rights in 2014. The annual reporting on the composition of staff at OHCHR in line with the requests of the Human Rights Council and the HR Insight system of the Secretariat also supports the implementation of this recommendation. Complemented by other measures and efforts to enhance equitable geographical distribution, this has led to some amelioration of the situation. However, it is also obvious that further measures are needed. Reference is made to chapter VI of the report (JIU/REP/2014/7) and its pertinent recommendations.

(2) JIU/REP/2003/6 – Recommendation 8

The imbalance in the geographical distribution of the staff in the Office is an issue that can only be solved through a determined management action. Thus, the High Commissioner should prepare an action plan aimed at reducing the current imbalance and indicating specific targets and deadlines to be achieved.

Follow-up included in JIU/REP/2006/3

"The Inspectors consider the status of this recommendation as "work in progress". The action plan is in place, as reflected in E/CN.4/2006/103. Its effects can only be evaluated in the coming years. The Inspectors would like to stress that the increase foreseen in the resources to be allocated to the Office in the near future represents an important opportunity, which should not be missed, to address the actual imbalance of the geographical distribution of staff.

"The Inspectors believe that much more can be done; the Office should adopt a more proactive approach to identify and recruit candidates from those countries which are unrepresented or underrepresented within the Office. The Inspectors urge the High Commissioner to ensure that action is taken without further delay. In this respect, one measure that might be considered is to use the offices of the United Nations resident coordinators, as well as local offices of United Nations and other agencies working in related fields to publicize vacancies, as well as established national rosters of candidates where feasible, as widely as possible. The Human Rights Council should request the Office to adopt all necessary measures to address the issue of the imbalance of the geographical distribution of staff, including the elaboration of annual targets for improvement and annual reporting. The Human Rights Council should also systematically monitor and evaluate this issue every two years."

The setting of recruitment targets was also suggested in JIU/REP/2007/8, as outlined below:

JIU/REP/2007/8 – Recommendation 8

The General Assembly should introduce a temporary maximum level on the recruitment of new professional staff (between the P-1 and P-5 levels) to OHCHR from overrepresented regions, until such time as a geographical balance has been reached.

Follow-up included in JIU/REP/2009/2

"The Inspector takes note with satisfaction that OHCHR,[b] together with OHRM, has stated that it has taken steps to redress the imbalance in geographical representation. The report of the Secretary-General provides information on the measures taken in OHCHR to improve the geographical distribution of staff in that Office, as requested by the General Assembly in its resolution 62/236.

"The Inspector also notes that, though OHCHR management initiatives to reduce the imbalance do not include specific targets or deadlines, he is nevertheless aware that measures, notwithstanding the implementation of recommendation 8 of the 2007 JIU report, are being taken to address the situation.

"While acknowledging the ongoing progress toward implementation of the JIU recommendations, the Inspector believes that these should continue to be monitored on an annual basis."

Assessment

The Inspector concurs with the aforementioned comments made in JIU/REP/2009/2. He is of the view that OHCHR should update its action plan to improve the balance of the geographical distribution of staff and that its implementation should be closely monitored. Reference is made to chapter VI of the report (JIU/REP/2014/7) and its pertinent recommendations.

[b] Please see also the related management responses (A/61/115/Add.1, A/62/845/Add.1 and A/64/94/Add.1) for further details.

Annex II: Pending next steps for full implementation of results-based management

In relation to planning, in the course of the next cycle OHCHR will focus on:

- Developing the review modules in the PMS to ensure the coherence of the plans throughout the four-year programming cycle
- Ensuring that annual work plans (the documents and the process) become management tools office-wide: to revisit existing plans in terms of progress towards results, reallocate resources accordingly and improve internal coordination
- Developing a manual on the basis of all the experience and lessons learned accumulated in the past biennium
- Increasing the capacity of the Office to forecast and explore the external context to improve management decisions

In terms of monitoring, in the course of the next cycle OHCHR will focus on:

- Improving accountability frameworks for all OHCHR entities, field- or headquarters-based, for example, through the definition of targets at the output level for headquarters entities
- Ensuring that information gathered through results-based monitoring is used for high-level decision-making and particularly for the allocation of resources (staff and activity)
- Improving the capacity of managers, field- or headquarters-based, to regularly analyse information produced by monitoring to take immediate action, as necessary
- Increasing cross-entity learning, through the identification and dissemination of lessons learned

In the area of evaluation, the main challenges are the ones identified in the 2014–2017 evaluation plan, and in particular:

- Planned evaluations take place as planned, within reasonable timelines and allotted resources
- Evaluations are of the highest quality and conducted by knowledgeable, independent consultants or, where possible, by OHCHR evaluation staff
- Senior management effectively supports the design and conduct of evaluation, and effectively uses its results, including through an increased understanding of evaluation standards and value
- Through increased knowledge, staff members increase demand for the conduct of evaluations

With regard to the PMS, development will continue, with a focus on the areas of:

- Headquarters monitoring and reporting
- Production of reports, to ensure that standard reports and analysis are easily accessible to users; that users have the option to tailor them to their needs (for example, by thematic priority, region and indicator); and that data to be used for evaluation can be easily produced and shared

- Adjustment of the monitoring modules to changes resulting from the implementation of new procedures for the planning cycle 2014-2017
- Knowledge management through the system (for example, availability of documentation resulting from the identification of good/best practices, and linkage of lessons learned to specific thematic priorities or global management outputs)
- User-friendliness of all modules, including the possibility to use the system more easily in areas with slower Internet connections (for example, offline uploading functions)

Source: Response to JIU questionnaire.

Annex III: Field presences of the Office of the United Nations High Commissioner for Human Rights

OHCHR field presences/human rights advisers, September 2014 (total 68)		
Regions	**Existing**	**Planned 2015**
Africa (26)	Country offices (3) **Uganda** (2005); **Togo** (2006); **Guinea** (2009) HR components in peace missions (10) **Sudan** (UNAMID 2008); **South Sudan** (UNMISS 2011); **Burundi** (OHCHR 1995, BNUB 2004, integrated 2006); **Democratic Republic of the Congo** (UNJHRO-MONUC 1999, MONUSCO 2010); **Côte d'Ivoire** (UNOCI 2004); **Liberia** (UNMIL 2003); **Central African Republic** (BINUCA 2000, MINUSCA 2014); **Guinea-Bissau** (UNIOGBIS 1999); **Somalia** (UNSOM 2013); **Mali** (MINUSMA 2013) Regional offices/centre (4) **East Africa** (Addis Ababa 2002); **Southern Africa** (Pretoria 1998); **Subregional Centre for Human Rights and Democracy in Central Africa*** (Yaounde 2001); **West Africa** (Dakar 2008) Human rights advisers in UNCTs (9) **Chad** (2011); **Kenya** (2008); **Madagascar** (2011); **Rwanda** (2007); **Sierra Leone**** (2014); **United Republic of Tanzania**** (2014); **Zambia**** (2014); **Malawi**** (2014); **Nigeria**** (2014)	Country office, Burundi
Asia-Pacific (11)	Country offices (1) **Cambodia** (1993) Human rights components in peace missions (1) **Afghanistan** (UNAMA 2002) Regional offices (2) **South-East Asia** (Bangkok 2002, and human rights adviser in UNDG Asia-Pacific** 2014) **Pacific** (Suva 2005) Human rights advisers in UNCTs (7) **Sri Lanka** (2004); **Papua New Guinea** (2008); **Maldives**** (2012); **Timor-Leste**** (2013); **Bangladesh**(2014); **UNDG Asia-Pacific, Bangkok**(2014); **Philippines**(2014)	Country office, Myanmar
Middle East, North Africa (8)	Stand-alone/country offices (4) **Palestine** (Gaza 1996 and Ramallah 2000); **Mauritania** (2009); **Tunisia** (2011); **Yemen** (2012) Human rights components in peace missions (2) **Iraq** (UNAMI 2003); **Libya** (UNSMIL 2011) Regional office/centre (2) **Middle East and North Africa** (Beirut 2002); **United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region*** (Doha 2009)	Regional office, North Africa (Cairo)
Europe, Central Asia (10)	Stand-alone office (1) **Kosovo** (Serbia 1998) Regional offices (2) **Central Asia** (Bishkek 2006); **Europe** (Brussels 2009) Human rights advisers in UNCTs (7) **Southern Caucasus** (Tbilisi 2006), **Russian Federation** (national staff 2005/human rights adviser 2008), **the former Yugoslav Republic of Macedonia** (national human rights adviser 2007); **Republic of Moldova** (2008); **Serbia** (national human rights adviser 2007); **Tajikistan** (2010); **Ukraine** (2011)	Country office, Ukraine

Americas (13)	Country offices (4) Colombia (1997), Mexico (2002), Guatemala (2005), Plurinational State of Bolivia (2007) Human rights component in peace missions (1) Haiti (MINUSTAH 2004) Regional offices (2) Central America (Panama City 2007), South America (Santiago 2009) Human rights advisers in UNCTs (6) Ecuador (2007), Honduras (2010), Paraguay (2010), Jamaica** (2014), Dominican Republic**(2014), UNDG Latin America and the Caribbean, Panama City**(2014)	Country office, Honduras

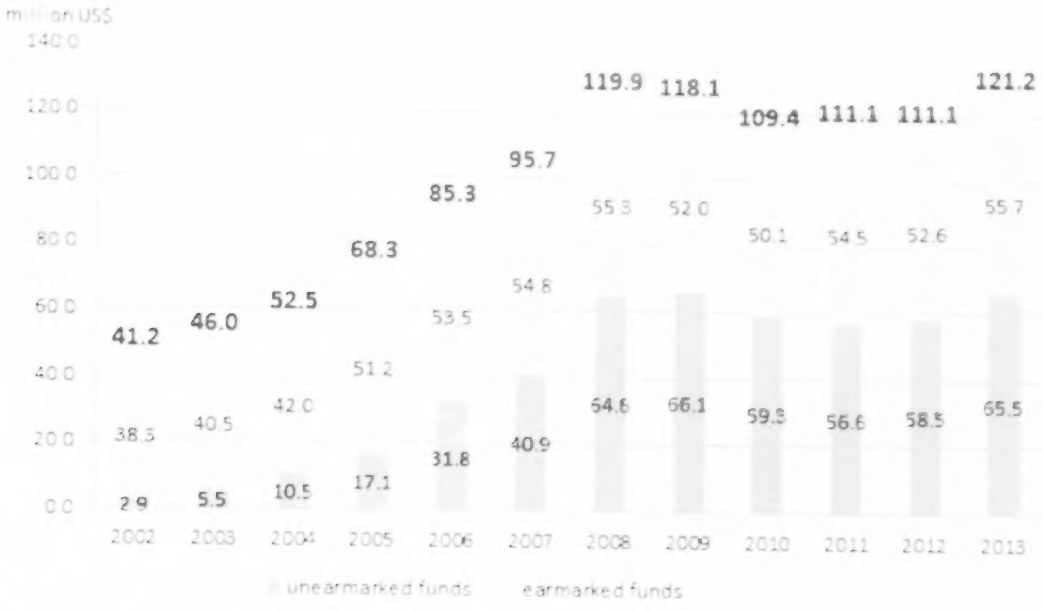
*: Established by General Assembly resolution.

**: Human rights adviser deployment through the UNDG human rights mainstreaming mechanism.

Field presences and human rights advisers	Total 68
Country/stand-alone offices	13
Human rights components in peacekeeping missions	14
Regional offices/centres	12
Human rights advisers in UNCTs/ UNDG regional centres	29

Source: OHCHR intranet (https://intranet.ohchr.org/Offices/FieldPresences/ListofFieldPresencesDocuments/OHCHR_field_presences_table_Augustper cent202014.doc).

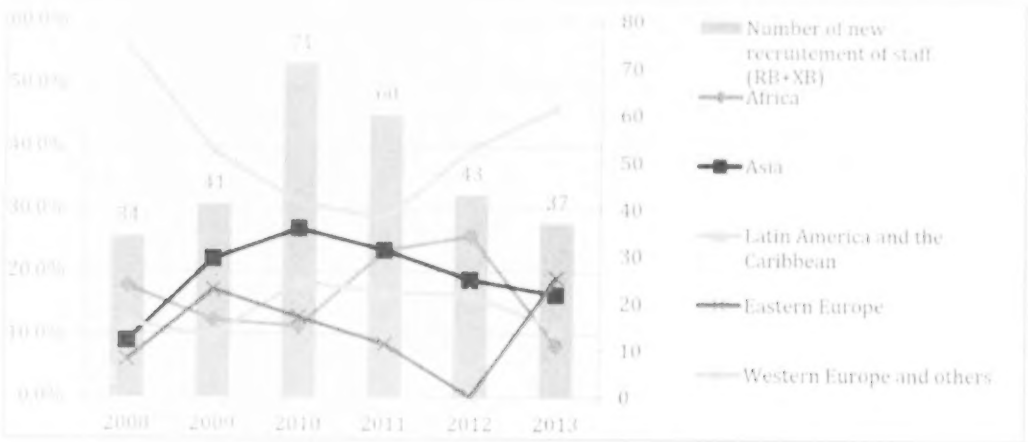
Annex IV: Earmarked versus unearmarked funding, 2002-2013



Source: OHCHR Report 2013, p. 134
OHCHR, Funding trends (http://www.ohchr.org/EN/ABOUTUS/Pages/Figures.aspx).

Annex V: Tables/figures on the composition of staff at the Office of the United Nations High Commissioner for Human Rights

Figure: Office of the United Nations High Commissioner for Human Rights staffing: geographical distribution of new recruitment, Professional level and above



Source: Responses to JIU questionnaire.

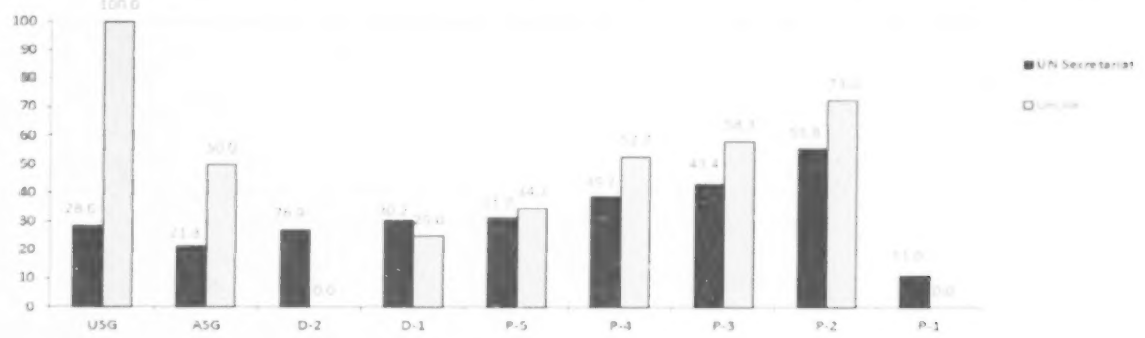
Table: Office of the United Nations High Commissioner for Human Rights staffing: geographical distribution of new recruitment, P-5 and above

P-5 and above	2008	2009	2010	2011	2012	2013
Africa	3	0	2	2	0	1
Asia	0	1	0	0	0	1
Latin America and the Caribbean	0	0	1	0	1	0
Eastern Europe	0	1	1	1	0	0
Western Europe and others	2	4	2	0	3	3
Total	**5**	**6**	**6**	**3**	**4**	**5**

Source: Responses to JIU questionnaire.

Chart and tables: The status of women in the United Nations Secretariat and the Office of the United Nations High Commissioner for Human Rights

Percentage of women in the Professional and higher categories with appointments of one year or more in the United Nations Secretariat (December 2013) and the Office of the United Nations High Commissioner for Human Rights (December 2013)



Trends in the representation of women in the Professional and higher categories, 2003 to 2013

UNITED NATIONS SECRETARIAT				
During the period 2003-2013 in the **United Nations Secretariat**, the proportion of women **increased** by 3.73 percentage points from **36.7 per cent** (2,024 out of 5,508) in 2003 to 40.5 **per cent** (4,253 out of 10,507) in 2013.				
Level	Percentage of women as at 31 Dec. 2003	Percentage of women as at 31 Dec. 2013	Total change 2003-2013 (percentage points)	Avg. annual change 2003-2013 (percentage points)
USG	13.6	28.6	14.94	1.49
ASG	17.5	21.3	3.83	0.38
D-2	27.7	26.9	-0.83	-0.08
D-1	28.9	30.2	1.36	0.14
P-5	31.2	31.7	0.45	0.05
P-4	32.4	39.2	6.75	0.68
P-3	41.5	43.4	1.85	0.18
P-2	50.7	55.8	5.13	0.51
P-1	85.7	11.0	-74.71	-7.47

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS				
During the period 2003-2013 in **OHCHR**, the proportion of women **increased** by **5.5** percentage points, from **46.8%** (44 out of 94) in 2003 to **53.3%** (279 out of 523) in 2013.				
Level	Percentage of women as at 31 Dec. 2003	Percentage of women as at 31 Dec. 2013	Total change 2003-2013 (percentage points)	Avg. annual change 2003-2013 (percentage points)
USG	0.0	100.0	100.0	10.0
ASG	0.0	50.0	50.0	5.0
D-2	0.0	0.0	0.0	0.0
D-1	33.3	25.0	-8.3	-0.8
P-5	42.9	34.7	-8.1	-0.8
P-4	25.8	52.7	26.9	2.7
P-3	54.3	58.3	4.0	0.4
P-2	55.0	73.0	18.0	1.8
P-1	0.0	0.0	0.0	0.0

As at 31 December 2013, women in the **United Nations Secretariat** constituted: • **40.5 per cent** (4,253 out of 10,507) of all staff in the professional and higher categories with appointments of one year or more • **28.6 per cent** (233 out of 815) of all staff at the D-1 to USG level • **41.5 per cent** (4,020 out of 9,692) of all staff at the P-1 to P-5 level • Gender balance achieved at: **P-2**: 55.8 per cent (622 out of 1,114) • Largest increase: **USG**: 15.0 per cent (from 13.6 per cent in December 2003 to 28.6 per cent in December 2013) • Largest decrease: **P-1**: -74.7 per cent (from 85.7 per cent in December 2003 to 11.0 per cent in December 2013)	As at 31 December 2013, women in the **OHCHR** constituted: • **53.3 per cent** (279 out of 523) of all staff in the Professional and higher categories with appointments of one year or more • **29.4 per cent** (5 out of 17) of all staff at the D-1 to USG level • **54.2 per cent** (274 out of 506) of all staff at the P-1 to P-5 level • Gender balance achieved at: **P-2**: 73.0 per cent (27 out of 37), **P-3**: 58.3 per cent (133 out of 228), **P-4**: 52.7 per cent (89 out of 169), **ASG**: 50.0 per cent (1 out of 2) and **USG**: 100.0 per cent (1 out of 1) • Largest increase: **USG**: 100.0 per cent (from 0.0 per cent in December 2003 to 100.0 per cent in December 2013) • Largest decrease: **D-1**: -8.3 per cent (from 33.3 per cent in December 2003 to 25.0 per cent in December 2013)

Representation of women in appointments, promotions and separations (P-1 to Under-Secretary-General), 1 January 2012 to 31 December 2013

United Nations Secretariat	Office of the United Nations High Commissioner for Human Rights
APPOINTMENTS	
• All appointments (P-1 to USG): **44.4 per cent** (830 out of 1,867) • D-1 to USG appointments: **23.8 per cent** (29 out of 122) • P-1 to P-5 appointments: **45.9 per cent** (801 out of 1745) • Gender parity achieved in appointments: **P-1**: 59.6 per cent (34 out of 57); **P-2**: 56.5 per cent (249 out of 441) • Highest proportion of female appointments: **P-1**: 59.6 per cent (34 out of 57) • Lowest proportion of female appointments: **ASG**: 14.8 per cent (4 out of 27)	• All appointments (P-1 to USG): **66.5 per cent** (111 out of 167) • D-1 to USG appointments: **50.0 per cent** (1 out 2) • P-1 to P-5 appointments: **66.7 per cent** (110 out of 165) • Gender parity in appointments achieved in all levels, except D-1: **P-1**: 76.9 per cent (10 out of 13); **P-2**: 72.7 per cent (24 out of 33); **P-3**: 66.7 per cent (58 out of 87; **P4**: 57.7 per cent (15 out of 26); **P-5**: 50.0 per cent (3 out of 6) and **ASG**: 100.0 per cent (1 out of 1) • Highest proportion of female appointments:**P-1**: 76.9 per cent (10 out of 13); **ASG**: 100% (1 out of 1) • Lowest proportion of female appointments: **D-1**: 0.0 per cent (only 1 male appointment)
PROMOTIONS	
• All promotions (P-1 to D-2): **43.8 per cent** (243 out of 555) • D-1 and D-2 promotions: **32.8 per cent** (19 out of 58) • P-1 to P-5 promotions: **43.8 per cent** (243 out of 555) • Gender parity in promotions achieved: **P-2**: **81.3 per cent** (13 out of 16), **P-2**: **51.1 per cent** (67 out of 131) • Highest proportion of female promotions: **P-2**: **81.3 per cent** (13 out of 16) • Lowest proportion of female promotions: **D-2**: **20.0 per cent** (3 out of 12)	• All promotions (P-3 to P-5): **52.2 per cent** (12 out of 23) • D-1 and D-2 promotions: **None** • P-1 to P-5 promotions: **52.2 per cent** (12 out of 23) • Gender parity in promotions achieved: **P-4**: **64.3 per cent** (9 out of 14) • Highest proportion of female promotions: **P-4**: **64.3 per cent** (9 out of 14) • Lowest proportion of female promotions: **P-5**: **25.0 per cent** (1 out of 4)

SEPARATIONS	
• Women constituted **40.7 per cent** (607 out of 1,491) of all separations (P-1 to USG), which is **higher** than their representation in the United Nations Secretariat (40.5 per cent). • The attrition rate of women was highest at: **P-1**: 0.16, **D-2**: 0.11	• Women constituted **71.2 per cent** (84 out of 118) of all separations (P-1 to USG), which is **higher** than their representation in the OHCHR (53.3 per cent). • The attrition rate of women was highest at: **P-4**: 0.13, **D-2**: 0.17

Source: OHRM. Prepared by the Focal Point for Women, Coordination Division, UN-Women, October 2014.
Website: www.unwomen.org/en/how-we-work/un-system-coordination/women-in-the-united-nations-reports-and-monitoring#sgreport

Annex VI: Training funds

Table: Resources allocated to training

	2008-2009	2010-2011	2012-2013
Budget (United States dollars)			
Training funds approved in the regular budget (PSMS)	319,500	331,500	397,000
Training funds approved in the regular budget (OHRM)	47,600	31,800	42,500
Expenditure (United States dollars)			
Regular budget training expenditure (PSMS)	290,266	333,771	353,172
Regular budget training expenditure (OHRM)	51,994	33,221	38,388
Extrabudgetary training expenditure	..[a]	88,911	87,300
Percentage			
Training funds approved in the regular budget as a proportion of the approved regular budget	0.02%	0.02%	0.02%
Training funds approved in the regular budget as a proportion of staff costs	0.04%	0.03%	0.03%

Source: Response to JIU questionnaire.

[a] The Staff Development Unit started work officially in May 2008 and no workplan or cost plan is available for 2008. For 2009 a work plan was provided, although no budget information was included.

Annex VII: Information on meetings and documentation of bodies of the Office of the United Nations High Commissioner for Human Rights, 2009-2013

Year	Bodies	Number of meetings	Number of meeting days	Number of documents (A)	Maximum words allowed per type of document (B)	(A) X (B)
2009	Human Rights Council + Advisory Committee	119	60	750 + 79	10,700	8,870,300
	Universal Periodic Review	60	30	186	10,700	1,990,200
	Treaty Bodies	710	355	1,235	10,700	13,214,500
	Others [1]	240	120			
	Sub-total	889	445	2,250	32,100	24,075,000
2010	Human Rights Council + Advisory Committee	119	60	861 + 31	10,700	9,544,400
	Universal Periodic Review	60	30	200	10,700	2,140,000
	Treaty Bodies	720	360	1,357	10,700	14,519,900
	Others [1]	240	120			
	Sub-total	899	450	2,449	32,100	26,204,300
2011	Human Rights Council + Advisory Committee	119	60	874 + 26	10,700	9,630,000
	Universal Periodic Review	60	30	207	10,700	2,214,900
	Treaty Bodies	780	390	1,304	10,700	13,952,800
	Others [1]	240	120			
	Sub-total	959	480	2,411	32,100	25,797,700
2012	Human Rights Council + Advisory Committee	119	60	948 + 29	10,700	10,453,900
	Universal Periodic Review	60	30	168	10,700	1,797,600
	Treaty Bodies	780	390	1,468	10,700	15,707,600
	Others [1]	240	150			
	Sub-total	959	480	2,613	32,100	27,959,100
2013	Human Rights Council + Advisory Committee	119	60	1074 + 17	10,700	11,673,700
	Universal Periodic Review	60	30	146	10,700	1,562,200
	Treaty Bodies	780	390	1,539	10,700	16,467,300
	Others [1]	310	155			
	Sub-total	959	480	2,776	32,100	29,703,200

Source: Information provided by OHCHR.

[1] Working groups of the Human Rights Council, excluding the Working Group on the Universal Periodic Review. As bodies of the Human Rights Council, their documentation is reflected under the Human Rights Council.

Explanatory notes:

The table does not reflect the following meetings and their related documentation: (a) special sessions of the Human Rights Council and (b) ad hoc treaty body sessions.

The documents include all types of documents, including corrigenda and agendas.

Data related to special procedures are reflected in the figures for the Human Rights Council.

The number of meetings is calculated in accordance with the standard of United Nations conference services. Human Rights Council meetings are counted as two meetings per day.

Annex VIII: Survey responses

Table 1: Joint Inspection Unit staff survey

Ref.	Question	Population	Responses					
			Fully agree	Agree	Neither agree nor disagree	Disagree	Fully disagree	I don't know
Paras. 88, 289	Question 21: I think there is sufficient coordination and cooperation 'within' divisions/branches/sections	All staff	5.76%	32.56%	23.34%	28.82%	5.48%	4.03%
		P-5 & above	5.71%	37.14%	25.71%	25.71%	5.71%	0.00%
	Question 22: I think there is sufficient coordination and cooperation 'between' divisions/branches/sections	All staff	2.03%	19.77%	26.45%	35.76%	11.34%	4.65%
		P-5 & above	0.00%	15.15%	27.27%	45.45%	12.12%	0.00%
Para. 90	Question 30: I think that the distribution of workload among the different divisions/branches/sections is balanced and fair	All staff	2.31%	19.31%	30.55%	27.67%	6.05%	14.12%
		P-5 & above	2.86%	17.14%	22.86%	25.71%	14.29%	17.14%
Para. 111	Question 20: I have confidence in OHCHR senior management	All staff	8.86%	34.29%	30.00%	19.14%	5.43%	2.29%
		P-5 & above	5.71%	34.29%	22.86%	28.57%	8.57%	0.00%
Para. 201	I think the strategic planning process at OHCHR is effective and supports Results-based management (RBM)	All staff	6.51%	28.70%	34.02%	14.20%	3.25%	13.31%
Paras. 259, 290	Question 61: The learning and development opportunities received are adapted to my career development needs	All staff	7.16%	29.85%	26.27%	22.99%	11.04%	2.69%
Para. 272	Question 52: I think the recruitment process in OHCHR is fair and transparent	All staff	4.46%	21.13%	21.13%	26.79%	21.73%	4.76%
			Very good	Good	Neither good nor bad	Poor	Very poor	No opinion
Para. 284	Question 64: I think that staff-management relations in OHCHR are:	All staff	5.97%	24.78%	37.31%	21.49%	4.48%	5.97%
			Fully agree	Agree	Neither agree nor disagree	Disagree	Fully disagree	I don't know
Para. 287	Question 15: My work unit has a good atmosphere for teamwork	All staff	33.14%	44.38%	13.26%	5.76%	3.17%	0.29%
	Question 13: I am treated with consideration and respect	All staff	31.05%	44.44%	15.95%	6.27%	1.42%	0.85%

	Question 18: I am satisfied with the level of support that my supervisor provides to me in order to meet my work objectives	All staff	24.50%	42.07%	16.43%	12.68%	3.75%	0.58%
	Question 16: I think that important management decisions are communicated through official channels (official meetings, official e-mails, office instructions, etc.)	All staff	19.60%	48.13%	16.43%	12.39%	2.59%	0.86%
			Always	**Usually**	**At times work overtime**	**Regularly work overtime**	**Frequently work overtime**	**I don't know**
	Question 14: In general, I am able to complete my work assignments within official working hours (including flexible working arrangements)	All staff	9.40%	27.35%	24.79%	22.51%	15.38%	0.57%
			Fully agree	**Agree**	**Neither agree nor disagree**	**Disagree**	**Fully disagree**	**I don't know**
	Question 38: I think that my work unit has adequate resources to fulfil and perform its mandate/function	All staff	3.24%	27.65%	12.06%	36.47%	18.82%	1.76%
Para. 288	Question 33: I think that managers comply with the standards of accountability corresponding to their level of delegated authority and responsibility	All staff	12.21%	38.66%	25.00%	11.63%	6.10%	6.40%
	Question 34: I think that OHCHR senior managers foster an organizational culture of integrity and ethical values	All staff	10.82%	35.67%	26.32%	15.79%	7.89%	3.51%
	Question 35: I think that OHCHR management encourages open discussion	All staff	9.28%	27.54%	28.12%	21.16%	10.72%	3.19%
	Question 27: I think that the organizational structure of OHCHR is functioning effectively	All staff	2.33%	22.38%	29.65%	30.52%	10.76%	4.36%
	Question 25: I think there is 'sufficient' coordination and cooperation between OHCHR headquarters and field presences	All staff	2.34%	27.49%	25.44%	29.53%	9.06%	6.14%
	Question 37: I think that OHCHR commits itself to and undertakes necessary reforms to keep the organization effective and efficient	All staff	7.56%	34.01%	27.91%	20.35%	5.23%	4.94%
Para. 289	Question 39: In my experience, United Nations Secretariat regulations, rules and policies governing OHCHR are suitable and adequate for its operation and functioning	All staff	3.47%	28.90%	24.57%	26.01%	10.69%	6.36%
			Yes	**Somewhat**	**No**	**No Opinion**		
	Question 43: I am familiar with the policy and implementation of results-based management (RBM) in OHCHR	All staff	43.40%	35.78%	17.60%	3.23%		

	Question 44: I have received sufficient training and instruction on results-based management (RBM)	All staff	21.99%	30.79%	43.70%	3.52%		
			Fully agree	**Agree**	**Neither agree nor disagree**	**Disagree**	**Fully disagree**	**I don't know**
Para. 290	Question 51: I think that United Nations Secretariat human resources policies are implemented in OHCHR in a consistent and transparent manner	All staff	3.59%	23.35%	21.86%	26.05%	13.17%	11.98%
	Question 53 (a): I think there is adequate equitable geographical distribution among staff (all Professional and above) in OHCHR	All staff	4.78%	22.99%	23.58%	17.31%	8.66%	22.69%
	Question 53 (b): I think there is adequate equitable geographical distribution among staff (P-5 and above) in OHCHR	All staff	4.56%	14.59%	22.49%	19.76%	12.16%	26.44%
	Question 56 (a): I think the gender balance is adequate among staff (all Professional and above) in OHCHR	All staff	8.38%	41.92%	20.66%	10.18%	2.69%	16.17%
	Question 56 (b): I think the gender balance is adequate among staff (P-5 and above) in OHCHR	All staff	3.93%	23.87%	19.64%	23.87%	9.06%	19.64%
	Question 59: I think that the current United Nations Secretariat mobility policy is well implemented in OHCHR which can contribute to my career development (Professional staff only)	HQ staff	2.63%	7.24%	21.05%	30.26%	21.71%	17.11%
		Field staff	2.47%	6.17%	16.05%	20.99%	34.57%	19.75%

Table 2: Joint Inspection Unit survey for members of treaty monitoring bodies

Ref.	Question	Responses					
		Very satisfied	**Satisfied**	**Neither satisfied nor dissatisfied**	**Dissatisfied**	**Very dissatisfied**	**No opinion**
Para. 303	Question 1: Are you satisfied with the substantive support and technical expertise provided by OHCHR in respect to your work in your capacity as a member of a treaty monitoring body?	34.48%	37.93%	20.69%	3.45%	3.45%	0.00%
		Yes	**Somewhat**	**No**	**No opinion**		
	Question 12: Did you come across, in your experience, any situation or instance where you felt that OHCHR staff were attempting to influence your work and/or thinking in your capacity as a member of the treaty monitoring body?	33.33%	11.11%	51.85%	3.70%		

Table 3: Joint Inspection Unit survey for special procedures mandate holders

Ref.	Question	Responses					
		Very satisfied	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Very dissatisfied	No opinion
Para. 304	Question 1: Are you satisfied with the substantive support and technical expertise provided by OHCHR in respect to your work in your capacity as a mandate holder?	26.32%	15.79%	21.05%	31.58%	0.00%	5.26%
	Question 2: Are you satisfied with the logistical support provided by OHCHR in respect to your work in your capacity as a mandate holder?	15.79%	36.84%	15.79%	21.05%	5.26%	5.26%
Para.304		Fully Agree	Agree	Neither agree nor disagree	Disagree	Fully disagree	I don't know
	Question 3: Does OHCHR bring to your attention developments within your mandate in a timely manner?	15.79%	31.58%	10.53%	36.84%	5.26%	0.00%
	Question 5: Does OHCHR provide you with adequate assistance in dealing with communications in respect of your mandate from individuals and groups in a timely and effective way?	10.53%	42.11%	15.79%	15.79%	15.79%	0.00%
	Question 6 (a): In your view, does OHCHR render timely and effective support in providing information and communications to you?	11.11%	44.44%	5.56%	27.78%	5.56%	5.56%
	Question 6 (b): In your view, does OHCHR render timely and effective support in processing information/communications provided by you?	11.11%	50.00%	5.56%	22.22%	5.56%	5.56%
Para. 305	Question 8: Does OHCHR provide effective and timely assistance in following up on recommendations made (to Member States, civil society organizations, national human rights institutions and other entities, as the case may be) by you in your capacity as a mandate holder?	15.79%	15.79%	31.58%	10.53%	21.05%	5.26%
	Question 9: Does OHCHR promote and facilitate the integration and coordination of the work relating to your mandate with activities of other parts of the office, such as the treaties division and the Universal Periodic Review Branch?	5.26%	21.05%	21.05%	31.58%	15.79%	5.26%
		Yes	Somewhat	No	No opinion		
	Question 12: Did you come across, in your experience, any situation or instance where you felt that OHCHR staff were attempting to influence your work and/or thinking in your capacity as a mandate holder?	15.79	21.05%	52.63%	10.53%		
		Fully Agree	Agree	Neither agree nor disagree	Disagree	Fully disagree	I don't know
	Question 14: Would you assess the staff support provided by OHCHR to be adequate?	16.67%	27.78%	11.11%	5.56%	33.33%	5.56%
Para. 305		Very good	Good	Neither good nor bad	Poor	Very poor	No opinion
	Question 15: How would you rate your working relationship with OHCHR?	42.11%	26.32%	10.53%	15.79%	0.00%	5.26%

Annex IX: Overview of action to be taken by participating organizations on the recommendations of the Joint Inspection Unit

JIU/REP/2014/7

		Intended impact	United Nations, its funds and programmes																	Specialized agencies and IAEA													
			CEB	United Nations*	UNCTAD	ITC	UNDP	UNEP	UNFPA	UN-Habitat	UNHCR	UNICEF	UNODC	UNOPS	UNRWA	UN-Women	WFP	OHCHR		FAO	IAEA	ICAO	ILO	IMO	ITU	UNAIDS	UNESCO	UNIDO	UNWTO	UPU	WHO	WIPO	WMO
Report	For action		☐	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☒		☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	For information		☒	☐	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☐		☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒
Recommendation 1		i		L																													
Recommendation 2		i																															
Recommendation 3		f																E															
Recommendation 4		i																E															
Recommendation 5		i																E															
Recommendation 6		e		E														E															

Legend: L: Recommendation for decision by legislative organ E: Recommendation for action by executive head

☐: Recommendation does not require action by this organization

Intended impact: a: enhanced transparency and accountability b: dissemination of good/best practices c: enhanced coordination and cooperation d: strengthened coherence and harmonization e: enhanced control and compliance f: enhanced effectiveness g: significant financial savings h: enhanced efficiency i: other.

* Covers all entities listed in ST/SGB/2002/11 other than UNCTAD, UNODC, UNEP, UN-Habitat, UNHCR and UNRWA.